



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Regular Meeting Agenda - Final Planning and Zoning Commission

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Tuesday, June 11, 2019

6:00 PM

City Council Chambers

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630 East Hopkins St.

- I. Call To Order
- II. Roll Call
- III. Chairperson's Opening Remarks
- IV. 30 Minute Citizen Comment Period

### CONSENT AGENDA

- 1. Consider approval of the minutes of the regular meeting of May 14, 2019.

### PUBLIC HEARINGS

- 2. CUP-19-16 (Saltgrass Steakhouse) Hold a public hearing and consider a request by Saltgrass, Inc. for a Conditional Use Permit to allow the sale and on premise consumption of mixed beverages at 1141 IH 35 North. (W. Parrish)
- 3. CUP-19-17 (Food Trailer Court) Hold a public hearing and consider a request by TheCoKitchen for a Food Truck Court at 801 Chestnut Street (W. Parrish)

- V. Question and Answer Session with Press and Public.

*This is an opportunity for the Press and Public to ask questions related to items on this agenda.*

- VI. Adjournment

### Notice of Assistance at the Public Meetings

*The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 512-393-8074 or sent by e-mail to [ADArequest@sanmarcostx.gov](mailto:ADArequest@sanmarcostx.gov)*

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the

\_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_ Title:

\_\_\_\_\_



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Legislation Text

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**File #:** ID#19-298, **Version:** 1

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**AGENDA CAPTION:**

Consider approval of the minutes of the regular meeting of May 14, 2019.

**Meeting date:** June 11, 2019

**Department:** Planning & Development Services

**Amount & Source of Funding**

**Funds Required:** Click or tap here to enter text.

**Account Number:** Click or tap here to enter text.

**Funds Available:** Click or tap here to enter text.

**Account Name:** Click or tap here to enter text.

**Fiscal Note:**

**Prior Council Action:** Click or tap here to enter text.

**City Council Strategic Initiative:** [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☐ Land Use - Choose an item.
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☐ Not Applicable

**Master Plan:** [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

**Background Information:**

Click or tap here to enter text.

**Council Committee, Board/Commission Action:**

Click or tap here to enter text.

**Alternatives:**

Click or tap here to enter text.

**Recommendation:**

Click or tap here to enter text.





# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes - Draft Planning and Zoning Commission

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Tuesday, May 14, 2019

6:00 PM

City Council Chambers

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630 East Hopkins St.

### I. Call To Order

With a quorum present the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Chair Garber at 6:00 p.m. on Tuesday, May 14, 2019 in the City Council Chamber of the City of San Marcos, City Hall, 630 East Hopkins St., San Marcos, Texas.

### II. Roll Call

**Present** 9 - Commissioner Maxfield Baker, Commissioner Mike Dillon, Commissioner Jim Garber, Commissioner Mark Gleason, Commissioner Matthew Haverland, Commissioner Kate McCarty, Commissioner Betseygail Rand, Commissioner Gabrielle Moore, and Commissioner Travis Kelsey

### III. Chairperson's Opening Remarks

### IV. 30 Minute Citizen Comment Period

Lisa Marie Coppoletta, 1322 Belvin, read the Neighborhood Commission Resolution to the City Council. She read that it recommends the City Council advise the City Manager to look into the sidewalk plan and ensure clear communication amongst all City Departments and all affected citizens involved in the project. She said her block doesn't have any street lights on the side where they want to install the sidewalk. She said her health will be impacted because of the stress of the project, and that she and her neighbors are afraid of being flooded out. She said City Engineer, John Espinoza, told her to send him a video when her house floods. She also said that the City Arborist has said they need to go around the Heritage Oaks on the sidewalk project. She said City workers are not required to have a 5 ft. sidewalk, they've gone around their trees, but everyone else is required to have the 5 ft. sidewalk, and that is going to kill Live Oaks.

Thomas Larsen, 1631 Aquarena Springs Dr., spoke on behalf of Move SM, an informal group of community members whose mission it is to act in the absence of an alternative transportation advisory board for the City of San Marcos. He mentioned several recommendations Move SM would like to make after reviewing the 10-Year Capital Improvements Plan (CIP), and to achieve some of the goals of the Transportation Master Plan. Recommendations including creating a Transportation Advisory Board, reevaluating the scope of all roadway related CIP projects, prioritizing CIP projects that enable mode shift, and increase alternative transportation use on primary corridors. He also recommended identifying and prioritizing both potential and existing CIP projects

that support east to west transportation, creating a downtown safe zone, and calling for the installation of green infrastructure in City right-of-ways and public facilities.

Nick Dornack, Director of Watershed Services, for the Meadows Center (Texas State University), said he wanted to encourage green infrastructure in development, particularly with the alley project coming up downtown. He mentioned that permeable pavers are an incredible way to both treat water, and do it economically, and with the current infrastructure in place. He said that engineers that work with them at the Meadows Center, as well as Meadows Center staff can help guide CIP projects, so he wanted to commit to helping to work with the City. He said when we're planning for the next 10 years we're going to be planning for flooding, water quality degradation, or smart and sustainable growth, and clean and clear rivers.

## CONSENT AGENDA

1. PC-18-57\_03 (McCarty Commons Phase 2 Lot 1) Consider a request by Charles Hager P.E., on behalf of D.R. Horton, for a final plat of 6.622 acres, more or less, out of the Nathaniel Hubbard Survey, Abstract No. 230, located near the intersection of East McCarty Drive and Leah Avenue. (W. Parrish)

**A motion was made by Commissioner Baker, seconded by Commissioner Rand, that the Consent Agenda be approved. The motion carried by the following vote:**

**For:** 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

**Against:** 0

## PUBLIC HEARINGS

2. ZC-19-07 (Centerpoint Road and Old Bastrop Highway) Hold a public hearing and consider a request by La Kings, LLC, for a zoning change from "SC" SmartCode to "LI" Light Industrial for approximately 398 acres, more or less, out of the J.H. Yearby Survey located at the intersection of Centerpoint Road and Old Bastrop Highway. (W. Parrish)

The item was postponed to the May 28, 2019 Planning and Zoning Commission meeting.

3. ZC-19-08 (McGehee Rezoning) Hold a public hearing and consider a request by the City of San Marcos for a zoning change from "P" Public/Institutional to "SF-4.5" Single Family District - 4.5 for approximately 0.309 acres, more or less, legally known as Lots 18,19, and 20, JQ Cliett First Addition, located in the 700 Block of McGehee Street, San Marcos, Texas. (S.Caldwell)

Chair Garber opened the Public Hearing.

Shavon Caldwell, Planner, gave an overview of the request.

Lisa Marie Coppoletta, 1322 Belvin, spoke in opposition of the item. She said there's multiple high rises being built in the area, and it's going to flood out all of those neighborhoods. She also said someone is paying for affordable houses, and in her instance the Habitat houses are the reason why her block is about to be destroyed. She said as far as the CIP projects are concerned, the City is the number one polluter over the Aquifer Recharge Zone.

Eva Rodriguez (no address given), spoke in opposition of the item. She said the area floods and people get trapped. She said it's not a safe place for people to live. She said there was a neighborhood there years ago, and they were moved out because of the flooding.

Tony Rodriguez, 327 Lee St., spoke in opposition of the item. He said the concern is the flooding, and he doesn't want the City to face a lawsuit because of good intentions. He added that because of the developments down the road, the water is building up more. He added that the creek is known to have homeless people that tend to panhandle.

Elsie Romano, 401 Mariposa, spoke in opposition of the item. She said there was a flood in the 1970s, and many of the families that were in the Veteran's Park area were relocated because of it. She said they've had a lot of close call rain events over the years that have impacted the neighborhood, with water rising to her sidewalk, driveway, and McGehee St. being underwater. She expressed concerns with adding housing units in close proximity to the creek. She also expressed health concerns because she said the sanitary sewer has overflow issues.

Raquel Garcia, 618 CM Allen Pkwy, spoke in opposition of the item. She expressed flooding concerns, and thinks building up this area will only worsen the flooding situation, like The Woods Apartments did on Barbara Dr. She said during the 2015 floods, fire trucks came out to rescue people on CM Allen Pkwy, and surrounding areas. She asked if it would change the flood zone area and require her to carry flood insurance. She also expressed concerns about wildlife in the area.

Keith Benouis, 712 South CM Allen Pkwy, spoke in opposition of the item. He said there's been several severe floods since he's lived in his home. He said the three lots sit adjacent to his home, and stuffing three houses in a known flood zone is absurd. He added that the area is a mosquito pit, and that the ditch behind that runs adjacent to IH-35 can fill-up with water overnight.

Chair Garber closed the Public Hearing.

Discussion ensued.

**A motion was made by Commissioner Baker, seconded by Commissioner**

**Haverland, that ZC-19-08 (McGehee Rezoning) be denied. The motion failed by the following vote:**

**For:** 4 - Commissioner Baker, Commissioner Haverland, Commissioner McCarty and Commissioner Rand

**Against:** 5 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Moore and Commissioner Kelsey

**A motion was made by Commissioner Gleason, seconded by Commissioner Dillon, that ZC-19-08 (McGehee Rezoning) be approved. The motion carried by the following vote:**

**For:** 5 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Moore and Commissioner Kelsey

**Against:** 4 - Commissioner Baker, Commissioner Haverland, Commissioner McCarty and Commissioner Rand

4. CUP-19-13 (Twin Peaks) Hold a public hearing and consider a request by Mike Locey, on behalf of Twin Restaurant San Marcos, LLC, for a Conditional Use Permit to allow for the sale of mixed beverages for on premise consumption at 1207 South IH 35. (S.Caldwell)

Chair Garber opened the Public Hearing.

Shavon Caldwell, Planner, gave an overview of the request.

There were no additional speakers.

Chair Garber closed the Public Hearing.

**A motion was made by Commissioner Gleason, seconded by Commissioner Dillon, that CUP-19-13 (Twin Peaks) be approved with the following conditions: 1.) Permit shall be valid for one (1) year, provided standards are met; 2.) The permit shall be posted in the same area and manner as the Certificate of Occupancy; 3.) Employees may not park on the Olive Garden lot; 4.) No outdoor live music shall be allowed; and 5.) No outdoor amplified music shall be allowed. The motion carried by the following vote:**

**For:** 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Moore and Commissioner Kelsey

**Against:** 1 - Commissioner Rand

## **NON-CONSENT AGENDA**

5. Provide a recommendation to the City Council on the 10-Year Capital Improvements Program. (L. Moyer)

Laurie Moyer, Director of Engineering and Capital Improvements, discussed some of the points the Commission addressed at the previous meeting, and was available for questions.

**A motion was made by Commissioner Kelsey, seconded by Commissioner McCarty that the 10-Year Capital Improvements Program be recommended for approval with the condition that: 1.) Funding for Project ID #415 (Downtown Alley Reconstruction) and Project ID #712 (Downtown Pedestrian Safety & Comfort Improvements) should be moved up to 2020.**

**An amendment was made by Commissioner Rand, seconded by Commissioner Moore, that the main motion be amended to endorse the recommendations on the Move SM handout, and that Project #438 (City Park – ADA Playground) should have a shade structure.**

**Commissioner Rand retracted the Amendment.**

**A second amendment was made by Commissioner Rand, seconded by Commissioner Haverland that Project #438 (City Park – ADA Playground) should have a shade structure.**

**The motion carried by the following vote:**

**For:** 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

**Against:** 0

**A motion was made by Commissioner Rand, seconded by Commissioner Haverland, that the main motion be amended so that: The City Council shall collaborate with the Meadows Center on green infrastructure and permeable pavers on the downtown alley projects. The motion carried by the following vote:**

**For:** 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

**Against:** 0

**A motion was made by Commissioner Moore, seconded by Commissioner Rand, that the main motion be amended to recommend all of the points in the**

**Move SM letter.**

**Commissioner Rand withdrew her second.**

**Commissioner Rand reseconded the amendment.**

**Commissioner Moore restated the motion again that the City Council shall consider all of the points made in the letter from Move SM.**

**The motion carried by the following vote:**

**For:** 5 - Commissioner Baker, Commissioner Dillon, Commissioner Haverland, Commissioner Rand and Commissioner Moore

**Against:** 4 - Commissioner Garber, Commissioner Gleason, Commissioner McCarty and Commissioner Kelsey

**A motion was made by Commissioner Baker, seconded by Commissioner Rand, that the main motion be amended so that: In Project ID #703 (Traffic Signal Synchronization and Improvement Project), consideration should be given towards wayfinding and intersection optimization during the synchronization. The motion carried by the following vote:**

**For:** 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

**Against:** 0

**Chair Garber called for a vote on the main motion with the following amendments: 1.) Funding for Project ID #415 (Downtown Alley Reconstruction) and Project ID #712 (Downtown Pedestrian Safety & Comfort Improvements) should be moved up to 2020; 2.) Project #438 (City Park – ADA Playground) should have a shade structure; 3.) The City Council shall collaborate with the Meadows Center on green infrastructure and permeable pavers on the downtown alley projects; 4.) City Council shall consider all of the points made in the letter from Move SM; and 5.) In Project ID #703 (Traffic Signal Synchronization and Improvement Project), consideration should be given towards wayfinding and intersection optimization during the synchronization. The motion carried by the following vote:**

**For:** 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

**Against:** 0

6. Receive a presentation from staff and discuss the Planning and Development Services 2018 Year in Review report.

Amanda Hernandez, Development Services Manager, gave an overview of the 2018 Annual Report.

V. Question and Answer Session with Press and Public.

There were no questions from the Press or Public.

VI. Adjournment

The meeting was adjourned at 8:10 p.m.

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the

\_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_ Title:

\_\_\_\_\_



## Legislation Text

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**File #:** CUP-19-16, **Version:** 1

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**AGENDA CAPTION:**

CUP-19-16 (Saltgrass Steakhouse) Hold a public hearing and consider a request by Saltgrass, Inc. for a Conditional Use Permit to allow the sale and on premise consumption of mixed beverages at 1141 IH 35 North. (W. Parrish)

**Meeting date:** June 11, 2019

**Department:** Planning and Development Services

**Amount & Source of Funding**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**Fiscal Note:**

**Prior Council Action:** N/A

**City Council Strategic Initiative:** [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☐ Land Use - Choose an item.
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☐ Not Applicable



**Master Plan:** *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

**Background Information:**

Saltgrass Steakhouse is moving from their current location on Sessom Drive to the site formally occupied by Logan's Steakhouse at the intersection of IH-35 and Springtown Way.

This site is located near a church on Springtown Way, however it exceeds the minimum distance measured by walking path as defined by the San Marcos Development Code.

**Council Committee, Board/Commission Action:**

Click or tap here to enter text.

**Alternatives:**

Click or tap here to enter text.

**Recommendation:**

Staff has reviewed the application against the criteria from Sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommends approval with the following conditions:

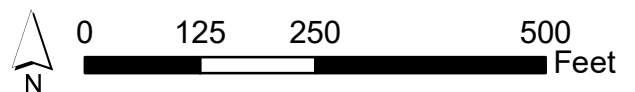
- Permit shall be valid for one (1) year, provided standards are met,
- The permit shall be valid at the time of Certificate of Occupancy; and
- The permit shall be posted in the same area and manner as the Certificate of Occupancy.



# CUP-19-16 Aerial Map Saltgrass Steakhouse — 1141 IH 35 North



- ★ Site Location
- Subject Property
- 400' Buffer
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

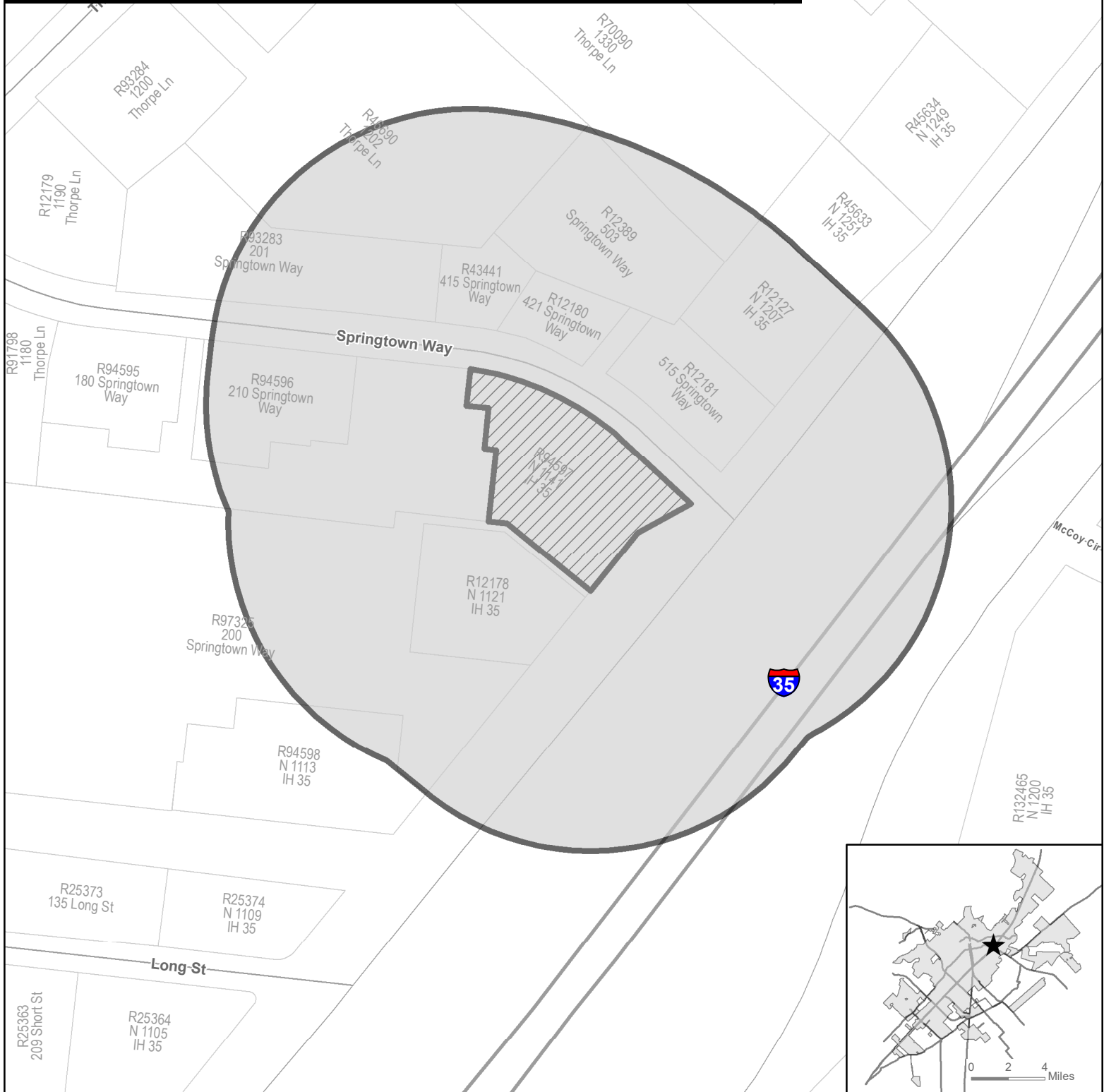
Map Date: 5/31/2019







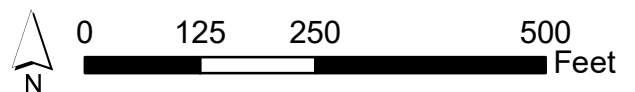
# CUP-19-16

## 400' Notification Buffer

### Saltgrass Steakhouse — 1141 IH 35 North



- ★ Site Location
-  Subject Property
-  400' Buffer
-  Parcel
-  City Limit



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Map Date: 5/31/2019

Conditional Use Permit	1141 IH-35 North
CUP-19-16	Saltgrass Steakhouse



### Summary

Request:	Allow the sale of mixed beverages for on premise consumption at 1141 IH-35 North.		
Applicant:	Saltgrass, Inc. 1510 West Loop South Houston, TX 77027	Property Owner:	National Retail Properties, LP 450 South Orange Avenue, Suite 900 Orlando, FL 32801
Square Feet:	8,054 square feet	Type of CUP:	Mixed Beverage
Interior seating:	262	Outdoor seating:	0
Parking Required:	66	Parking Provided:	83
Days & Hours of Operation:	Sunday – Thursday: 11 a.m. – 10 p.m. Friday – Saturday: 11 a.m. – 11 p.m.		

### Notification

Posted:	May 24, 2019	Personal:	May 24, 2019
Response:	None as of the date of this report		

### Property Description

Legal Description:	Lot 3 Springtown V Subdivision		
Location:	Intersection of IH 35 and Springtown Way		
Acreage:	1.36 acres +/-	Central Business Area:	No
Existing Zoning:	General Commercial (GC)	Preferred Scenario:	Midtown High Intensity Zone
Existing Use:	Vacant Restaurant	Proposed Use:	Restaurant
CONA Neighborhood:	Millview West	Sector:	7
Utility Capacity:	Adequate		

### Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	GC	Restaurant / Church	High Intensity
South of Property:	VMU / GC	Retail / Apartments / Restaurant	High Intensity
East of Property:	GC	IH 35	High Intensity
West of Property:	GC	Restaurants	High Intensity

Conditional Use Permit	1141 IH-35 North
CUP-19-16	Saltgrass Steakhouse



### History

Saltgrass Steakhouse is moving from their current location on Sessom Drive to the site formally occupied by Logan's Steakhouse at the intersection of IH-35 and Springtown Way.

### Additional Analysis

This site is located near a church on the of Springtown Way, however it exceeds the minimum distance measured by walking path as defined by the San Marcos Development Code.

### Comments from Other Departments

Police	No Concerns
Fire	No Concerns
Public Services	No Concerns
Engineering	No Concerns

### Staff Recommendation

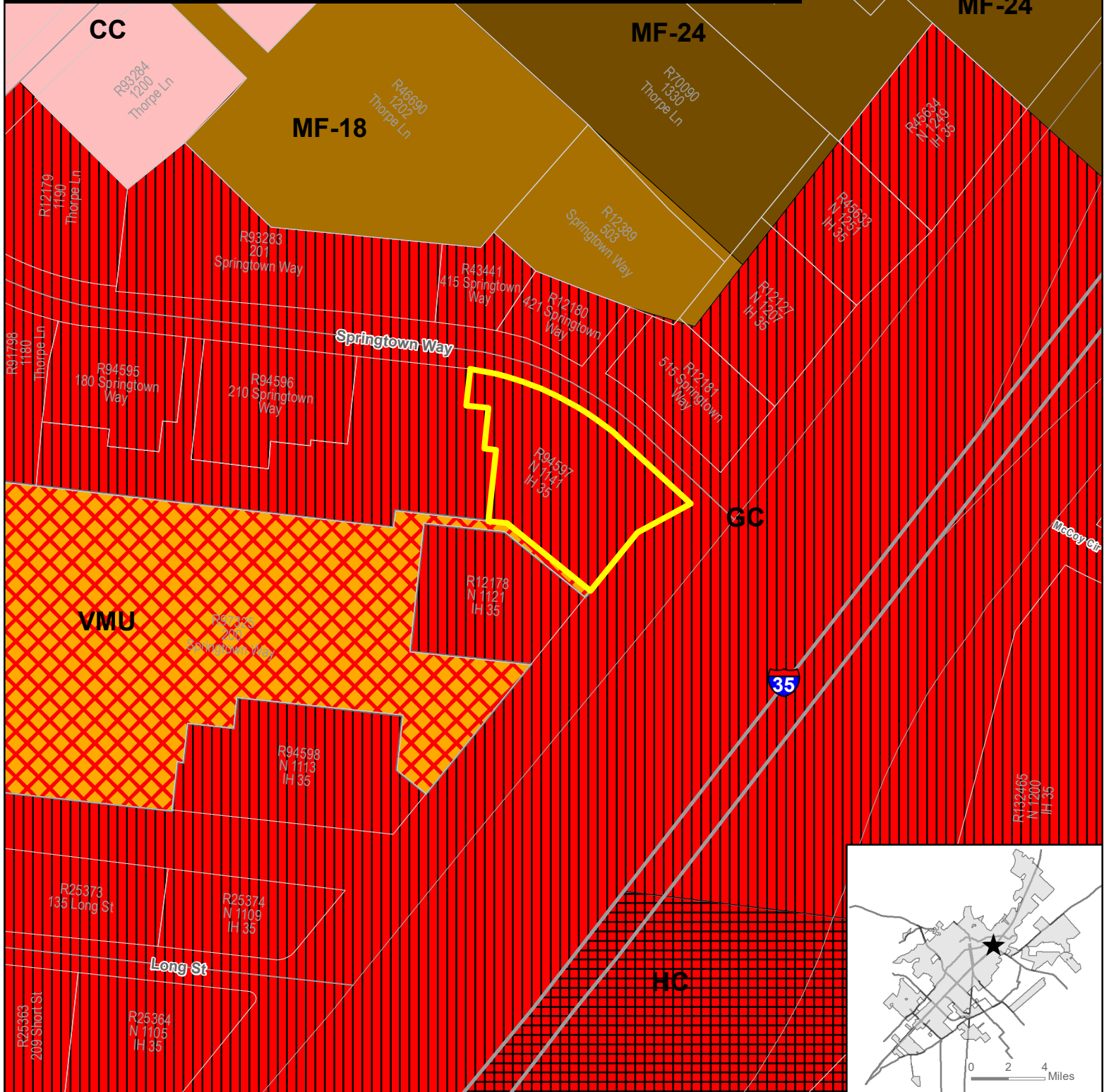
Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions / Alternate	Denial
<ul style="list-style-type: none"> <li>Permit shall be valid for one (1) year, provided standards are met,</li> <li>The permit shall be valid at the time of Certificate of Occupancy; and</li> <li>The permit shall be posted in the same area and manner as the Certificate of Occupancy.</li> </ul>			
Staff: Will Parrish	Title : Planner		Date: June 6, 2019

Conditional Use Permit	1141 IH-35 North
CUP-19-16	Saltgrass Steakhouse

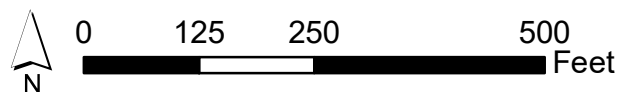


Evaluation			Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)
Consistent	Inconsistent	Neutral	
		<u>X</u>	The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
		<u>N/A</u>	The proposed use is consistent with any adopted neighborhood character study for the area. Studies were not complete at the time of this request
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.
<u>X</u>			The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.
<u>X</u>			The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
		<u>X</u>	The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.
<u>X</u>			The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.
<u>X</u>			The proposed use is not within 300 ft. of a detached single family residence located in a zoning district that only permits detached single family residences.
<u>X</u>			The proposed use is not within 300 ft. of a church, public or private school, or public hospital as outlined in section 5.1.5.5.
<u>X</u>			The proposed use is not within 1,000 ft. of a public or private school as outlined within section 5.1.5.5(E)(3).

# CUP-19-16 Zoning Map Saltgrass Steakhouse — 1141 IH 35 North

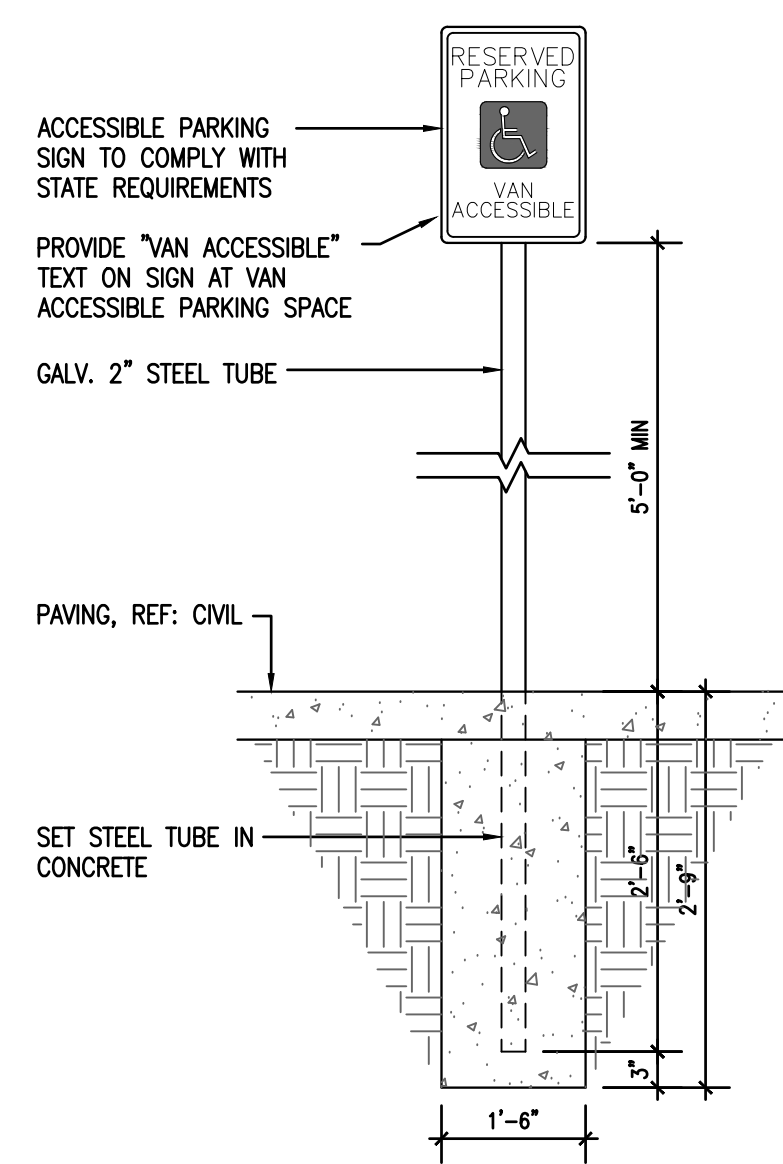


- ★ Site Location
- ▭ Subject Property
- ▭ 400' Buffer
- ▭ Parcel
- ▭ City Limit

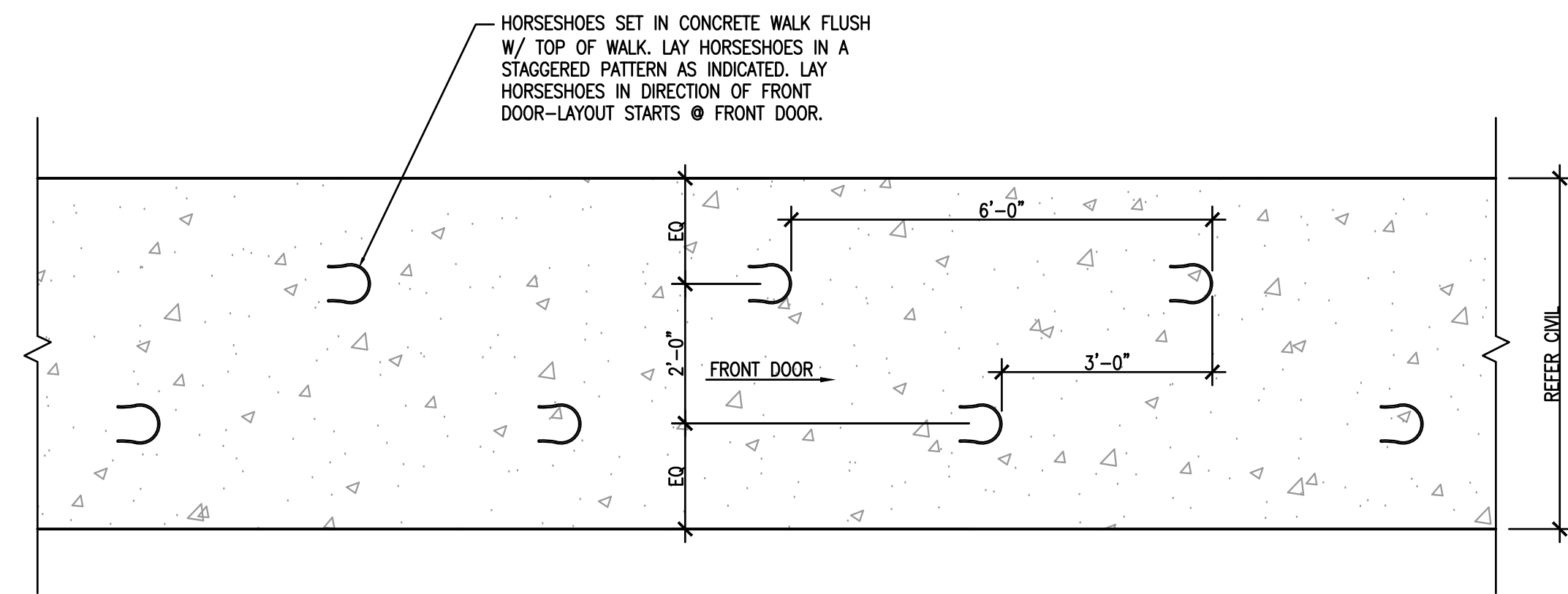


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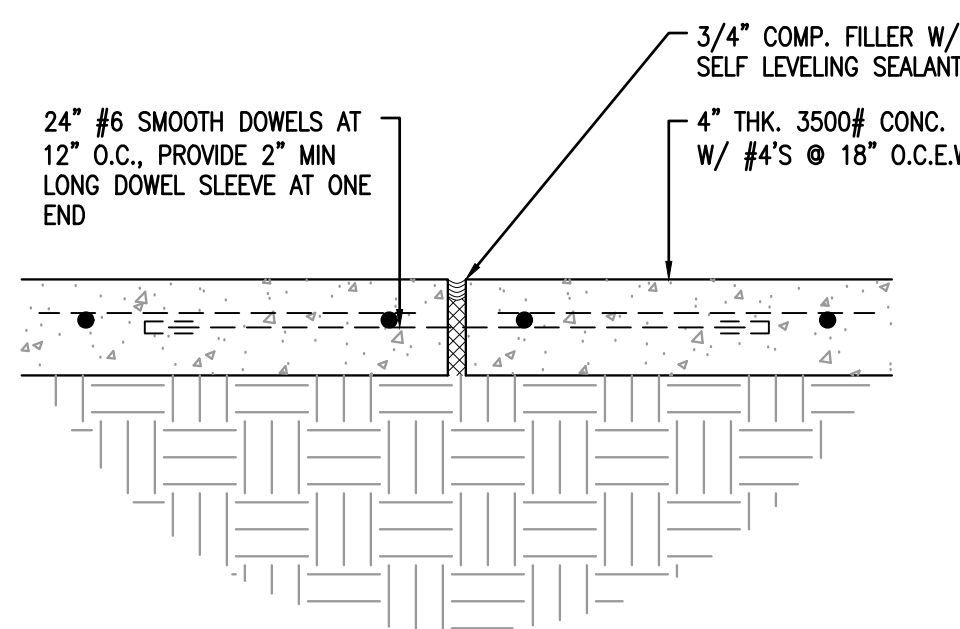
Map Date: 6/6/2019



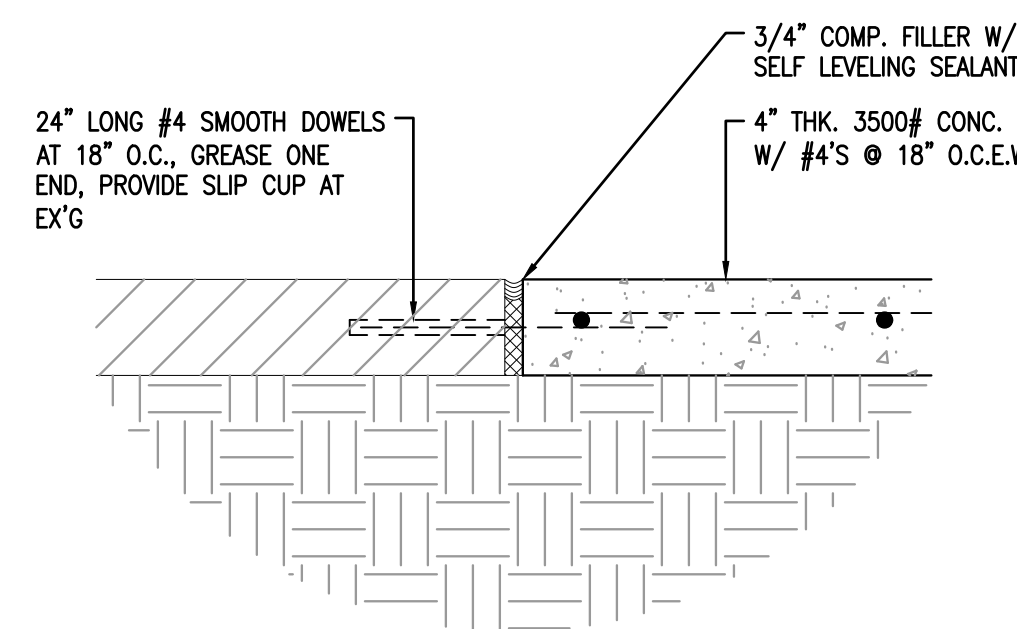
DETAIL AT POLE-MOUNTED SIGNAGE  
3/4" = 1'-0"



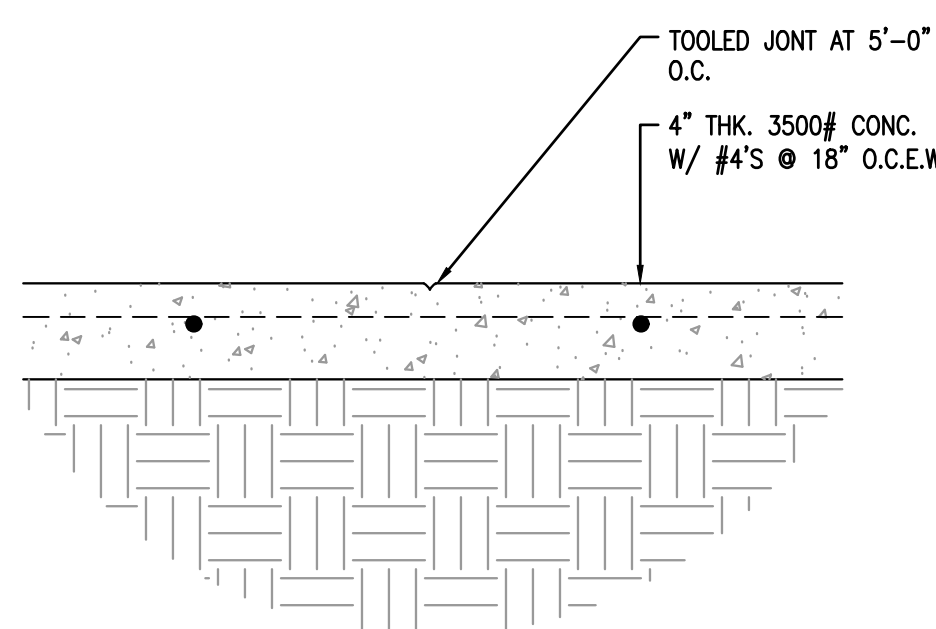
DETAIL AT HORSESHOE INLAY  
1/2" = 1'-0"



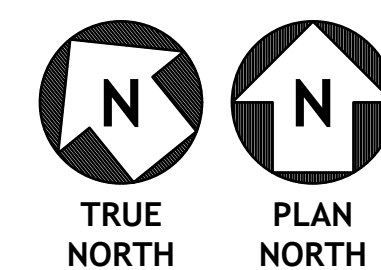
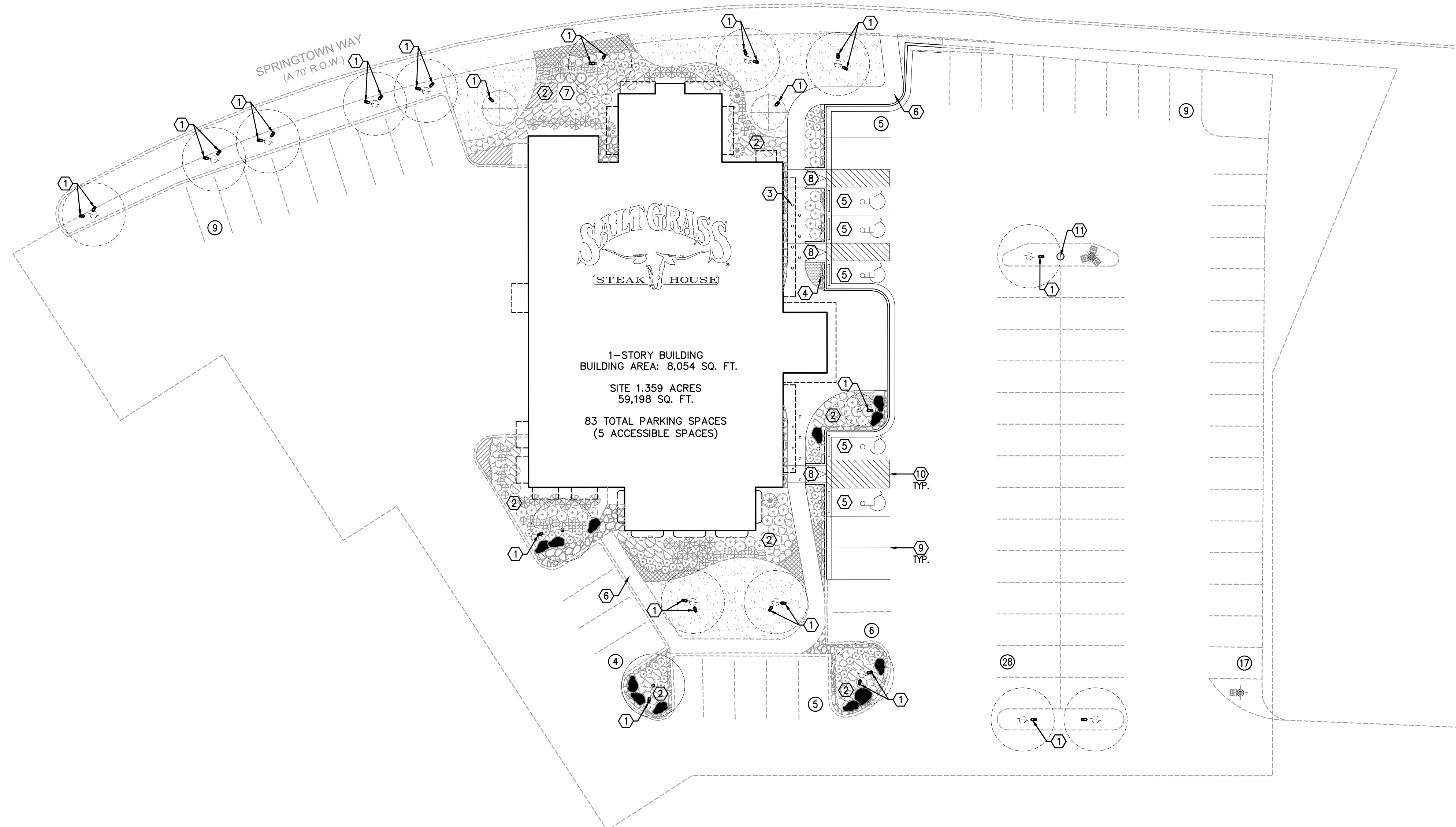
DETAIL AT SIDEWALK EXPANSION JOINT



DETAIL AT EXISTING SIDEWALK 1 1/2" = 1'-0"	8
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DETAIL AT SIDEWALK CONSTRUCTION JOINT



SITE PLAN 1" = 20'-0"	1
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- | ⑦  | KEY NOTES:  |
|----|---|
| 1  | LANDSCAPE LIGHTS ADJACENT TO ALL TREES, TYPICAL; REF: ELECTRICAL  |
| 2  | LANDSCAPE AREA, RE: LANDSCAPE   |
| 3  | HORSESHOE SIDEWALK IN-LAY; RE: DTL. 3/4.04  |
| 4  | ACCESSIBLE POLE MOUNTED PARKING SIGN AT EACH ACCESSIBLE PARKING SPACE; RE: DTL. 2/4.04                                  |
| 5  | ACCESSIBLE PARKING SPACES & ACCESS AISLE SHALL HAVE 1:50 MAX SLOPE (2%) IN BOTH DIRECTIONS; RE: CIVIL                   |
| 6  | ALL WALKING SURFACES SHALL HAVE 1:20 MAX (5%) RUNNING SLOPE & 1:50 MAX (2%) CROSS SLOPE BROOM FINISH, U.O.N.; RE: CIVIL |
| 7  | EXISTING PAD MOUNTED TRANSFORMER  |
| 8  | SLOPED WALK 1:20 (5%) FOR RUNNING SLOPE AND 1:50 MAX (2%) FOR CROSS SLOPE   |
| 9  | 4" WIDE PAVEMENT STRIPING PAINT WHITE   |
| 10 | ACCESSIBLE PARKING SIGNAGE & ACCESS AISLE STRIPING, PAINT WHITE   |
| 11 | NEW POLE SIGN TO BE MOUNTED ON EXISTING POLE.   |

SITE STATISTICS:	
LOT:	59,198 SQ. FT. (1,359 ACRES)
ZONING:	GC - GENERAL COMMERCIAL DISTRICT
BUILDING SIZE:	8,054 SQ. FT.
<u>EXISTING PARKING SPACES PROVIDED:</u>	
STANDARD PARKING SPACES:	78 SPACES
ACCESSIBLE:	5 SPACES
TOTAL:	83 SPACES

[illegible][illegible]

SHEET TITLE:

## SITE PLAN

SHEET NUMBER:

## A0.04

PROJECT NUMBER:  
**SGS18004**

CLIENT:

**LANDRY'S RESTAURANTS, INC.**

1510 WEST LOOP SOUTH  
HOUSTON, TX 77027  
PHONE: (713) 386-7259  
WEBSITE: [WWW.LANDRYSINC.COM](http://WWW.LANDRYSINC.COM)

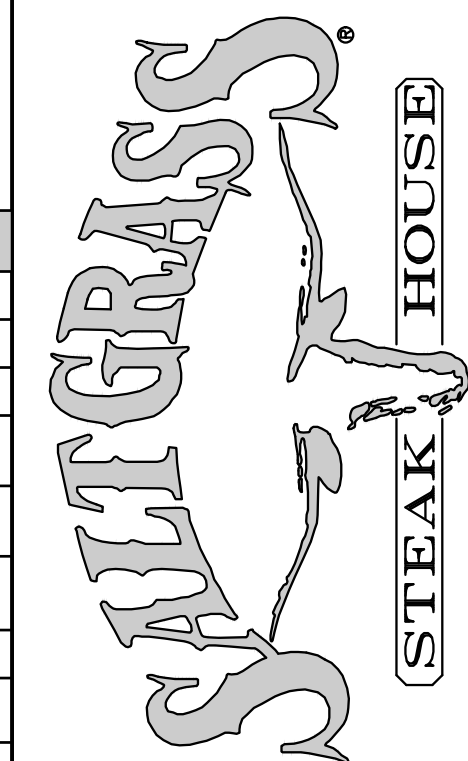


01.11.19

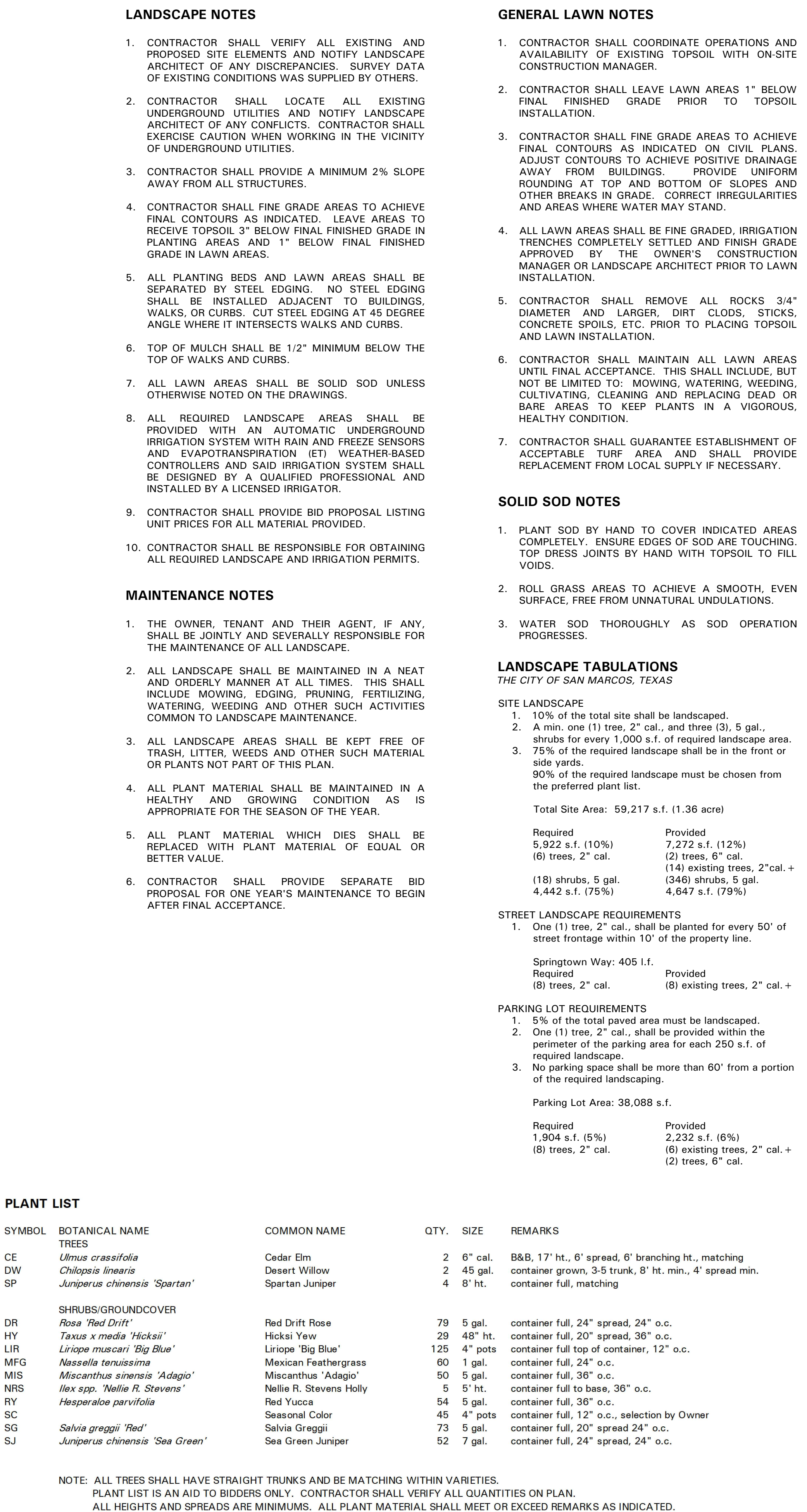
## SALTGRASS STEAK HOUSE

1141 N INTERSTATE 35 FRONTAGE RD  
SAN MARCOS, TX 78666

CLIENT: LANDRY'S RESTAURANTS, INC.







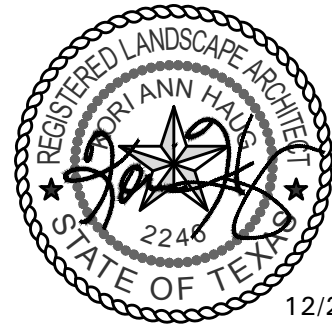
PLANT LIST					
SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
<b>TREES</b>					
CE	<i>Ulmus crassifolia</i>	Cedar Elm	2	6' cal.	B&B, 17' ht., 6' spread, 6' branching ht., matching
DP	<i>Chilopsis linearis</i>	Desert Willow	2	45 gal.	container grown, 3-5 trunk, 8' ht. min., 4' spread min.
SW	<i>Juniperus chinensis 'Spartan'</i>	Spartan Juniper	4	8' ht.	container full, matching
<b>SHRUBS/GROUNDCOVER</b>					
DR	<i>Rosa 'Red Drift'</i>	Red Drift Rose	79	5 gal.	container full, 24" spread, 24" o.c.
LY	<i>Taxus x media 'Hicksii'</i>	Hicksii Yew	29	48" ht.	container full, 20" spread, 36" o.c.
HR	<i>Liriodie muscari 'Big Blue'</i>	Liriodie 'Big Blue'	125	4" pots	container full top of container, 12" o.c.
MFG	<i>Nassella tenuissima</i>	Mexican Feathergrass	60	1 gal.	container full, 24" o.c.
MIS	<i>Miscanthus sinensis 'Adagio'</i>	Miscanthus 'Adagio'	50	5 gal.	container full, 36" o.c.
NRS	<i>Ilex spp. 'Nellie R. Stevens'</i>	Nellie R. Stevens Holly	5	5" ht.	container full to base, 36" o.c.
RY	<i>Hesperaloe parviflora</i>	Red Yucca	5	gal.	container full, 30" o.c.
SC		Seasonal Color	45	4" pots	container full, 12" o.c., selection by Owner
SJ	<i>Salvia greggii 'Red'</i>	Salvia Greggii	73	5 gal.	container full, 20" spread 24" o.c.
SG	<i>Juniperus chinensis 'Sea Green'</i>	Sea Green Juniper	52	7 gal.	container full, 24" spread, 24" o.c.

NOTE: ALL TREES SHALL HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES.  
PLANT LIST IS AN AID TO BIDDERS ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES ON PLAN.  
ALL HEIGHTS AND SPREADS ARE MINIMUMS. ALL PLANT MATERIAL SHALL MEET OR EXCEED REMARKS AS INDICATED



**BELLE  
FIRMA**

- 4245 North Central Expy
- Suite 501
- Dallas, Texas 75205
- 214.865.7192 office

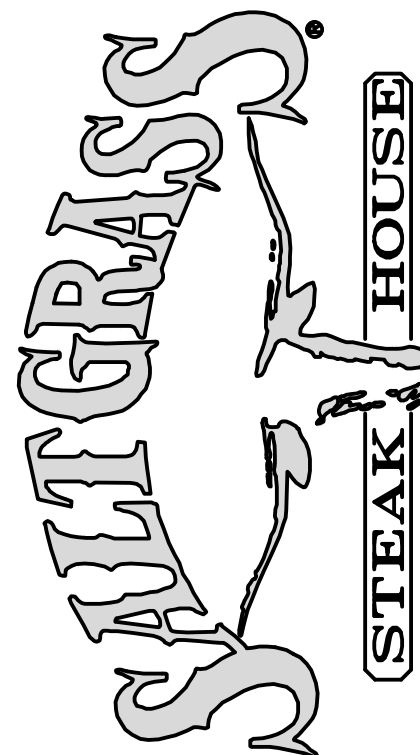


**LANDRY'S RESTAURANTS, INC.**  
1510 WEST LOOP SOUTH  
HOUSTON, TX 77027  
PHONE: (713) 386-7259  
WEBSITE: [WWW.LANDRYSINC.COM](http://WWW.LANDRYSINC.COM)

# SALTGRASS STEAK HOUSE

1141 N INTERSTATE 35 FRONTAGE RD  
SAN MARCOS, TX 78666

CLIENT: LANDRY'S RESTAURANTS, INC.



# LANDSCAPE PLAN

# L2.01

PROJECT NUMBER:  
**SGS18004**











## APPETIZERS

**Range Rattlers™** (930 cal) ..... 11.49  
Jumbo jalapeños, shrimp, Jack cheese, cilantro, ranch dressing.

**Queso Fresco** (1290 cal) ..... 9.99  
Queso blanco, braised brisket, pico de gallo, cilantro, scallions, tostada chips.

**Shrimp & Chicken Enbrochette** (770 cal) .. 9.99  
Wrapped in bacon, BBQ sauce, fried onions.

**Seafood Fondue** (820 cal) ..... 10.99  
Crawfish, shrimp, spinach, mushrooms, Jack cheese, garlic bread.

**Artichoke & Spinach Dip** (630 cal) ..... 9.49  
Tostada chips, salsa.

**Cheese Fries** (1830 cal) ..... 8.99  
Jack & cheddar cheese, bacon, sour cream, scallions, ranch dressing.

**Crab Cakes** (1050 cal) ..... 16.99  
Jumbo lump crabmeat, lemon butter.

**Bacon-Wrapped Quail** (1300 cal) ..... 13.99  
Jalapeño cream cheese, Sriracha honey, Brussels sprouts.



Sauce Trio

**Fried Mushrooms** (460 cal) ..... 7.99  
Dusted with parmesan.

**Sauce Trio** (560 cal) ..... 4.99  
Roasted tomato salsa, salsa verde, Queso Fresco, tostada chips.

## SOUPS • SALADS

Our homemade salad dressings are honey-mustard (add 260 cal), chunky blue cheese (add 340 cal), ranch (add 300 cal), Thousand Island (add 320 cal), balsamic vinaigrette (add 380 cal) & Low-Cal vinaigrette (add 70 cal).

**Great Soups Made Daily** Chicken tortilla (100/160 cal) or baked potato soup (280/560 cal) ..... Cup 4.99  
Bowl 7.49

**Soup & Salad** (580-1200 cal) ..... 9.99  
Choice of soup with Caesar (640 cal) or Garden greens with bacon, eggs, croutons, grated cheese, tomatoes (420 cal).

**Hill Country Salad** (790 cal) ..... 12.49  
Fried chicken, Garden greens, cheddar cheese, bacon, eggs, croutons, tomatoes.

**Grilled Chicken Salad** (770 cal) ..... 12.49  
Garden greens, tortilla strips, bacon, eggs, croutons, tomatoes.

**Salmon Caesar Salad\*** (1180 cal) ..... 13.99  
Fried capers, garlic bread.

**Steak Salad\*** (950 cal) ..... 15.99  
Certified Angus Beef® Center-Cut Top Sirloin, crisp romaine, red potatoes, eggs, green beans, black olives, onions, tomatoes, blue cheese, balsamic vinaigrette.

## SANDWICHES • BURGERS

Served with French Fries (add 370 cal).



Nashville Hot Sandwich

**Cheeseburger\*** (830 cal) ..... 11.99  
Fresh ½ lb. burger, American cheese, lettuce, tomato, onion, pickles, homemade bun.

**Grilled Chicken Sandwich** (1160 cal) 11.99  
Jack cheese, bacon, honey mustard, lettuce, tomato, onion, pickles, homemade bun.

**Nashville Hot Sandwich** (1060 cal) ..... 9.99  
Spicy fried chicken, pickled slaw, homemade bun.

**Brisket Burger\*** (1730 cal) ..... 13.99  
Fresh ½ lb. burger, cheddar, shredded braised brisket & BBQ sauce, onion, pickles, homemade bun.

**Texas Cheesesteak Sandwich** (1420 cal) ..... 12.99  
Shaved Certified Angus Beef® Steak, grilled onions, poblano pepper, pepper Jack cheese, Sriracha mayo, homemade hoagie roll.

2,000 calories a day is used for general nutrition advice, but calorie needs vary. Additional nutritional information is available upon request.

We have made an effort to provide accurate nutritional information but deviations can occur due to availability of ingredients, substitutions, and the hand-crafted nature of most items.

**A Suggested Gratuity of 15% - 20% is customary.  
The amount of gratuity is always discretionary.**



# 25 Years of Perfection



## — STEAKS & CHOPS —

All served with a side (add 120-660 cal) & your choice of Soup, Garden greens or Caesar salad (add 100-380 cal). Upgrade to a Wedge or Spinach & Kale Salad (add 450/340 cal) for 2.99.

**Wagon Boss Center-Cut Top Sirloin\*** (610/730 cal) .. 8 oz. 18.99  
10 oz. 20.99

**Maudeen's Center-Cut Filet\*** (550/760 cal)..... 6 oz. 23.99  
9 oz. 28.99

**Texas T-Bone\*** (1050 cal) .....17 oz. 27.99

**Pat's Ribeye\*** (960/1260 cal)..... 12 oz. 23.99  
16 oz. 27.99

**New York Strip\*** (820 cal) .....12 oz. 25.99

**Silver Star Porterhouse\*** (1520 cal) ..22 oz. 32.99

**Bone-In Ribeye\*** (1490 cal) .....22 oz. 37.99

**Double-Bone Smoked Pork Chop\*** (1070 cal) .....14 oz. 23.99  
Pan-seared, savory bacon jam.

**Double-Bone Pork Chop\*** (870 cal) ... 14 oz. 21.99  
Simply grilled.

## — PAIRED FOR YOU —

**Southwest Steak & Shrimp\*** (1090 cal) ..... 8 oz. 24.99  
Blackened shrimp, tomatoes, garlic herb butter, sausage.

**Smothered Filet\*** (670 cal) ..... 6 oz. 26.49  
Center-Cut Filet, homemade herb butter, sautéed mushrooms, caramelized onions.

**Surf & Turf\*** (1090/1310 cal) ..... 10 oz. 27.99  
Ribeye with BBQ or grilled shrimp.

**Tenderloin Medallions\*** (560 cal) ..6 oz. 23.99  
Tenderloin Filets, seared mushrooms, chimichurri.

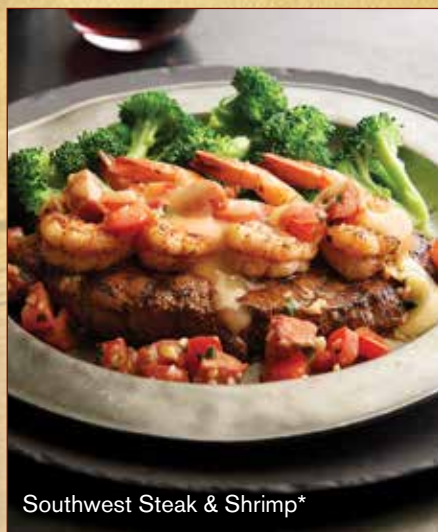
**Gulf Coast Steak & Shrimp\*** (760-1110 cal) ..... 8 oz. 23.99  
Center-Cut Top Sirloin, choice of shrimp. 10 oz. 25.99

## — PRIME RIB —

Herb crusted & slow-roasted for a minimum 10 hours, we take great care with this cut.

**Availability is limited.**

8 oz.	12 oz.	16 oz.	20 oz.
21.99	24.99	28.99	34.99
(630 cal)	(940 cal)	(1250 cal)	(1560 cal)



Southwest Steak & Shrimp\*



Gulf Coast Steak & Shrimp\*



Smothered Filet\*

## SAUCES, TOPPINGS & MORE

**Smother Your Steak** (190 cal) ..... 2.99 **Sautéed Mushrooms for Sharing** (200 cal) 5.99  
Sautéed mushrooms, caramelized onions, herb butter.

**Fried, Grilled or BBQ Shrimp** (230-440 cal) 7.49 **Mushrooms & Onions for Sharing** (220 cal) 5.99

\*Regarding the safety of these items, written information is available upon request; Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.

2,000 calories a day is used for general nutrition advice, but calorie needs vary.



## SHRIMP • FISH

**Fried Shrimp** (500 cal) .....18.49

Cocktail sauce.

**Grilled Shrimp** (930 cal) .....18.99

Herb rice.

**Stuffed BBQ Shrimp**

**Enbrochette** (1610 cal) .....18.99

Herb rice, grilled onions, tomatoes, poblano peppers.

**Shrimp Platter** (840 cal) .....20.99

Fried shrimp, grilled shrimp, BBQ shrimp.

**Grilled Salmon\*** (480 cal) .....19.49

**Salmon Oscar\*** (820 cal) .....24.49

Jumbo lump crabmeat, lemon butter, fried asparagus.

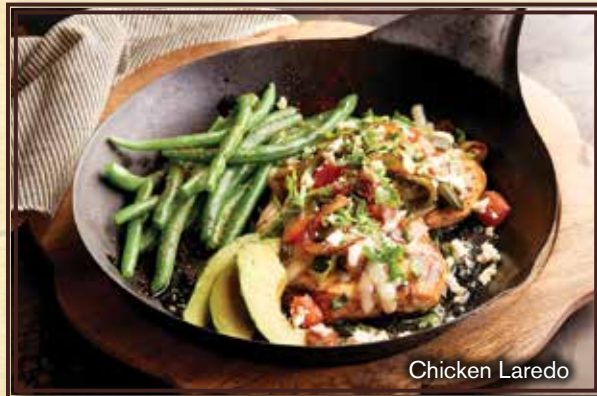
**Blackened Redfish** (790 cal) .....25.99

Shrimp, lump crabmeat, spinach, diced tomatoes, scallions, lemon butter.



Blackened Redfish

## CHICKEN



Chicken Laredo

**Marinated Grilled**

**Chicken Breast** (560 cal) .....16.49

**Chicken Laredo** (930 cal) ..... 17.49

Jack cheese, avocado, grilled onions, tomatoes, poblano peppers, cilantro, feta cheese.

**Chicken Fried Chicken** (960 cal) ....14.99

Cream gravy.

**Honey Sriracha Chicken** (1170 cal) .. 17.49

Bacon-wrapped, roasted jalapeño cheese, Sriracha, honey, Brussels sprouts.

**Shrimp & Chicken Tenders**

**Platter** (650 cal) .....14.99

## FAVORITES

**Chopped Steak\*** (680 cal) ..... 15.99

Grated cheese, diced tomatoes.

**Western Chopped Steak\*** (940 cal) .. 15.99

Melted cheddar, grilled onions, poblano peppers, tomatoes.

**Classic Chopped Steak\*** (680 cal) .. 15.99

Grilled onions, sautéed mushrooms, cognac pepper sauce.

**Vaquero Tacos** (1550 cal) ..... 14.99

Slow-braised brisket, Sriracha mayo, chimichurri, red cabbage, pico de gallo, corn tortillas.

**Chicken Fried Steak** (930 cal) ..... 15.99

Certified Angus Beef®, cream gravy.

**Steak K-Bob\*** (870 cal) ..... 18.99

Grilled Center-Cut Top Sirloin medallions, grilled red bell peppers, poblano peppers, onions, zucchini.

## RIBS & COMBINATIONS

**BBQ Baby Back Ribs** (1110 cal) .....21.99

Slow-cooked & "fall-off-the-bone."

**BBQ Baby Back Ribs &**

**Shrimp** (780-1000 cal) .....21.49

"Fall-off-the-bone" ribs & choice of fried, grilled or BBQ shrimp.

**BBQ Baby Back Ribs &**

**Grilled Chicken** (970 cal) .....21.49

"Fall-off-the-bone" ribs & marinated grilled chicken breast.

**Grilled Chicken &**

**Shrimp** (720-940 cal) .....20.49

Marinated grilled chicken breast & choice of fried, grilled or BBQ shrimp.



BBQ Baby Back Ribs & Grilled Chicken

All served with a side (add 120-660 cal) and your choice of Soup, Garden greens or Caesar salad (add 100-380 cal). Upgrade to a Wedge or Spinach & Kale salad (add 450/340 cal) for 2.99.

## SIDES

**French Fries (370 cal) • Steak Fries (310 cal) • Garlic Mashed Potatoes (320 cal) • Brussels Sprouts (300 cal)**  
**French Fried Onions (270 cal) • Sweet Potato Fries (380 cal) • Herb Rice (480 cal) • Seasonal Veggies (120 cal)**  
**Baked Potato (310-660 cal) • Baked Sweet Potato (350-480 cal) • Macaroni & Cheese (440 cal)**

2,000 calories a day is used for general nutrition advice, but calorie needs vary.



# CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)

Updated: October, 2018

Case # CUP-\_\_\_\_-\_\_\_\_



## CONTACT INFORMATION

Applicant's Name		Property Owner	
Applicant's Mailing Address		Owner's Mailing Address	
Applicant's Phone #		Owner's Phone #	
Applicant's Email		Owner's Email	

## PROPERTY INFORMATION

Subject Property Address: \_\_\_\_\_

Zoning District: \_\_\_\_\_ Tax ID #: R \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Number of Parking Spaces: \_\_\_\_\_

Is property more than 300' from church, school, hospital, or residential district? ☐ Y ☐ N

## DESCRIPTION OF REQUEST

Business Name: \_\_\_\_\_ ☐ Restaurant ☐ Bar ☐ Other: \_\_\_\_\_

☐ NEW ☐ RENEWAL/AMENDMENT ☐ Mixed Beverage ☐ Beer & Wine ☐ Late Hours

Hours of Operation(ex. Mon 12pm-1am): Mon \_\_\_\_\_ Tue \_\_\_\_\_ Wed \_\_\_\_\_

Thurs \_\_\_\_\_ Fri \_\_\_\_\_ Sat \_\_\_\_\_ Sun \_\_\_\_\_

Indoor Seating Capacity: \_\_\_\_\_ Outdoor Seating Capacity: \_\_\_\_\_ Gross Floor Area: \_\_\_\_\_

## AUTHORIZATION

*I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.*

Initial Filing Fee 773\*

Technology Fee \$12

**TOTAL COST \$785**

Renewal/Amendment Filing Fee \$412\*

Technology Fee \$12

**TOTAL COST \$424**

*\*Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits*

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – [WWW.MYGOVERNMENTONLINE.ORG/](http://WWW.MYGOVERNMENTONLINE.ORG/)

PROPERTY OWNER AUTHORIZATION

I, National Retail Properties, LP (owner) acknowledge that I am the rightful owner of the property located at 1141 IH 35 North, San Marcos, TX 78666 (address).

I hereby authorize Nelda Hernandez, Licensing Manager (agent name) to file this application for Conditional Use Permit (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: 

Date: 4/17/19

Printed Name: Rebecca VanDriessche / Director of Project Management

Signature of Agent: 

Date: 4/22/2019

Printed Name: Nelda Hernandez



## AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$88 plus an \$12 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$88 plus a \$12 technology fee.***

*I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

*Nelda Hernandez*

## CUP-19-16 (Saltgrass Steakhouse)

Hold a public hearing and consider a request by Saltgrass Steakhouse for a Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 1141 IH-35 North. (W. Parrish).



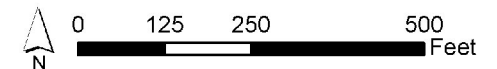
## Location:

- Property is located near the intersection of IH-35 and Springtown Way.
- Located within a High Intensity Zone as designated on the Preferred Scenario Map.

### CUP-19-16 Aerial Map Saltgrass Steakhouse — 1141 IH 35 North



- ★ Site Location
- Subject Property
- 400' Buffer
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

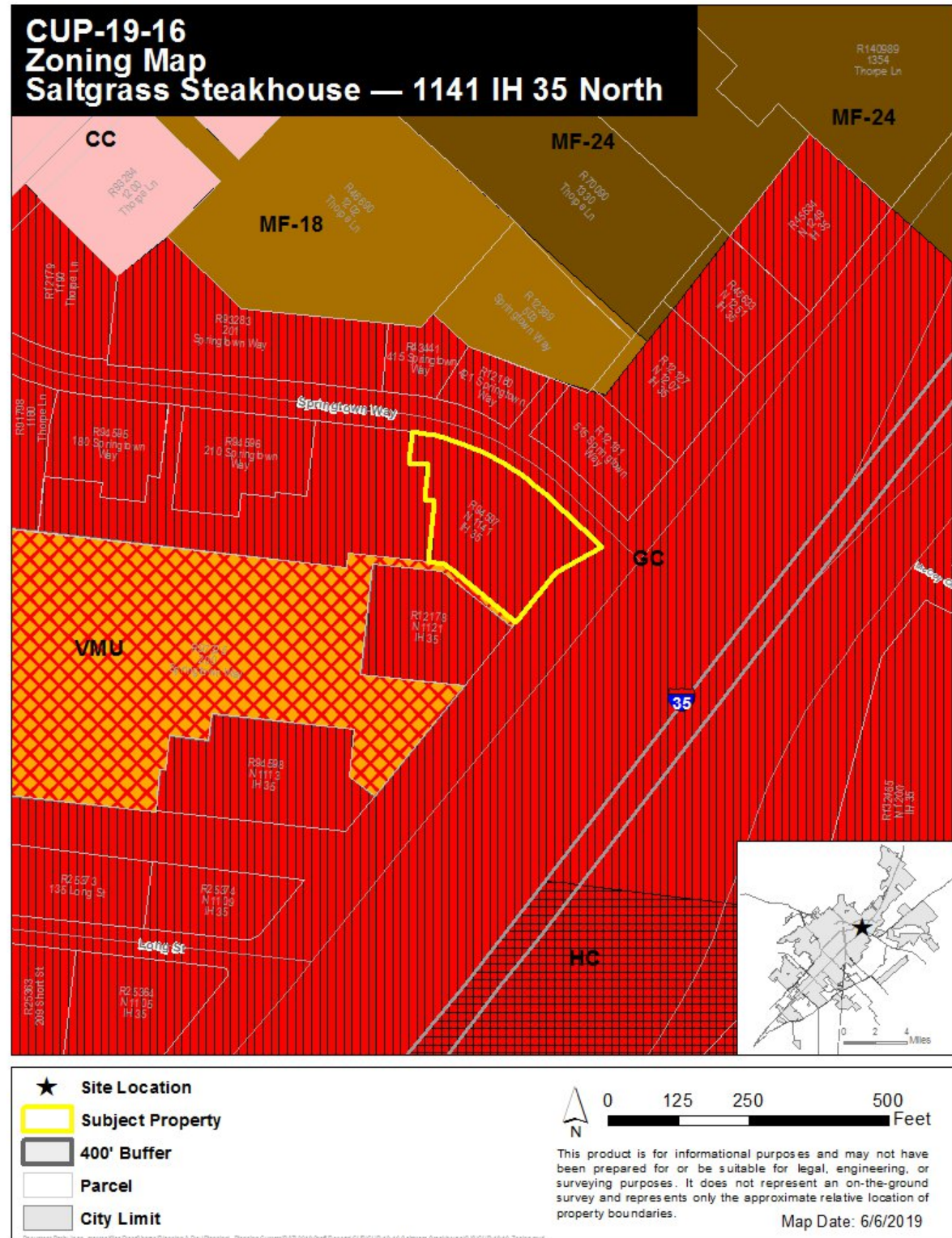
Map Date: 5/31/2019



# SAN MARCOS

## Context & History:

- 8,054 square foot restaurant
- Relocating from location on Sessom Drive.
- Hours
  - Sunday – Wednesday  
11 a.m. to 10 p.m.
  - Thursday – Saturday  
11 a.m. to 11 p.m.
- Seating:
  - 262 Indoor
  - 0 Outdoor





## Proximity to Church:

- Springs Church located on the other side of Springtown Way.
- Approximately 720 feet from door to door by walking path as designated in the San Marcos Development Code.

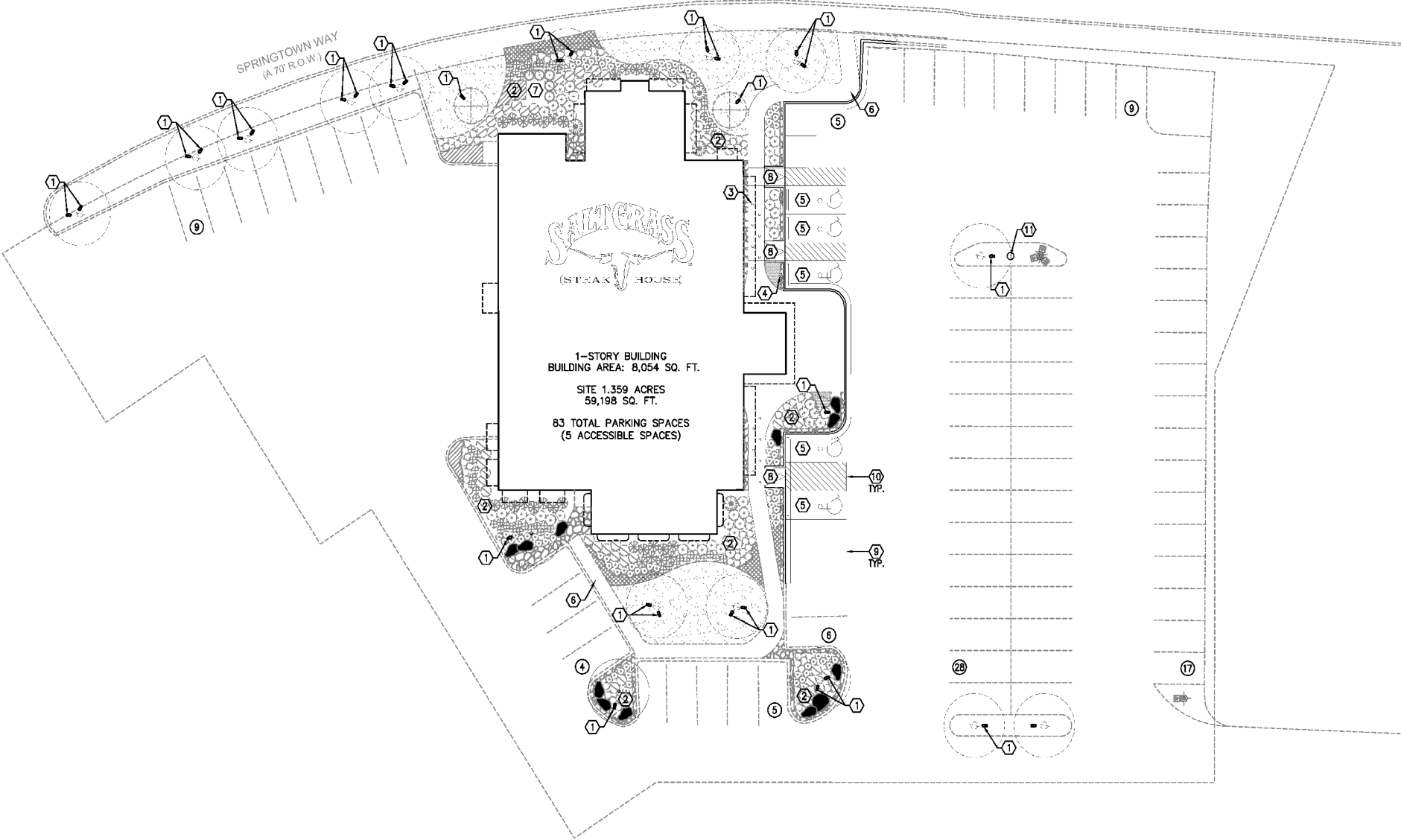
### CUP-19-16 Aerial Map Saltgrass Steakhouse — 1141 N IH 35



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Map Date: 5/23/2019

Site Plan



## Recommendations:

Staff provides this request to the Commission for your consideration and recommends **approval** of the Conditional Use Permit with the following conditions:

1. The permit shall be valid for one (1) year, provided standards are met;
2. The permit shall be valid upon the Certificate of Occupancy; and
3. The permit shall be posted in the same area and manner as the Certificate of Occupancy.





## Legislation Text

---

**File #:** CUP-19-17, **Version:** 1

---

**AGENDA CAPTION:**

CUP-19-17 (Food Trailer Court) Hold a public hearing and consider a request by TheCoKitchen for a Food Truck Court at 801 Chestnut Street (W. Parrish)

**Meeting date:** June 11, 2019

**Department:** Planning and Development Services

**Amount & Source of Funding**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**Fiscal Note:**

**Prior Council Action:** Click or tap here to enter text.

**City Council Strategic Initiative:** [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☐ Land Use - Choose an item.
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☐ Not Applicable



**Master Plan:** *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

**Background Information:**

This property was previously used as a religious education facility by the Church of Latter Day Saints. Food Truck Courts require a Conditional Use Permit in the Neighborhood Commercial Zoning District.

This site is located within a commercial area near the University, restaurants, bars and apartments. The applicants are proposing a Food Truck Court with 7 food trucks located in the existing parking lot. The existing building will be used as the commissary kitchen for the trucks located on the site.

**Council Committee, Board/Commission Action:**

Click or tap here to enter text.

**Alternatives:**

Click or tap here to enter text.

**Recommendation:**




Staff has reviewed the request against the criteria from Section 2.8.3.4 of the San Marcos Development Code and recommends approval with the following conditions:

- Hours of operation shall be limited to 7 a.m. - 11 p.m. Sunday -Thursday and 7 a.m. to 12:30 a.m. Friday and Saturday;
- A 42 inch fence with a tight wire mesh shall be required around the edge of the property adjoining the creek to prevent litter from entering Sessom Creek;
- There shall be no speakers after 10 p.m.;
- There shall be no live amplified music;
- The permit shall be valid at the time of Certificate of Occupancy of the commissary kitchen; and
- The permit shall be posted in the same area and manner as the Certificate of Occupancy.



# CUP-19-17 Aerial Map Food Truck — 801 Chestnut St



- ★ Site Location
-  Subject Property
-  Parcel
-  City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 5/30/2019





- 

Map Date: 5/29/2019

Conditional Use Permit	801 Chestnut Street
CUP-19-17	Food Truck Court



### Summary

Request:	Allow the use of a Food Truck Court at 801 Chestnut Street.		
Applicant:	TheCoKitchen 365 Golden Eagle Loop Canyon Lake, TX 78133	Property Owner:	Virgilio Altamirano PO Box 160788 Austin, TX 78716
Square Feet:	N/A	Type of CUP:	General
Interior seating:	0	Outdoor seating:	48
Parking Required:	12	Parking Provided:	13
Days & Hours of Operation:	Sunday-Saturday : 7 a.m. – 2:30 a.m.		

### Notification

Posted:	May 30, 2019	Personal:	May 30, 2019
Response:	None as of the date of this report		

### Property Description

Legal Description:	Park Addition, Lot 117		
Location:	Intersection of North LBJ Street and Chestnut Street		
Acreage:	1.36 acres +/-	Central Business Area:	No
Existing Zoning:	Neighborhood Commercial (NC)	Preferred Scenario:	Existing Neighborhood
Existing Use:	Vacant	Proposed Use:	Food Truck court and commissary kitchen
CONA Neighborhood:	Sessom Creek	Sector:	3
Utility Capacity:	Adequate		

### Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	NC / PDD	Restaurant / Bar / Office / Apartments	Existing Neighborhood
South of Property:	GC	Gas Station	Existing Neighborhood
East of Property:	CC / MF-18	Restaurants / Apartments	Existing Neighborhood
West of Property:	PDD	Apartments	Existing Neighborhood

Conditional Use Permit	801 Chestnut Street
CUP-19-17	Food Truck Court



### History

This property was previously used as a religious education facility by the Church of Latter Day Saints. Food Truck Courts require a Conditional Use Permit in the Neighborhood Commercial Zoning District.

### Additional Analysis

This site is located within a commercial area near the University, restaurants, bars and apartments. The applicants are proposing a Food Truck Court with 7 food trucks located in the existing parking lot. The existing building will be used as the commissary kitchen for the trucks located on the site. The applicant has stated that they do not intend to have any on-site entertainment at this time.

The applicant has stated that they wish to be open till 2:30 a.m. in order to service the patrons of nearby bars. While this property is located in a generally commercial area, it is not far from residential neighborhoods, and due to the outdoor nature of the business, customers arriving after the bars close have the potential to generate excessive noise. Staff recommends a closing time of no later than 12:30 a.m.

This property backs up to Sessom Creek, which flows into the San Marcos River, near the headwaters. The applicant considers this a feature that they would like to showcase to customers. However, in order to prevent trash from this outdoor dining facility from making its way into the creek, a 42 inch tall fence with a tight wire mesh panel should be constructed separating the parking lot/food service area from the creek.

### Comments from Other Departments

Police	No Concerns
Fire	No Concerns
Public Services	No Concerns
Engineering	No Concerns

### Staff Recommendation

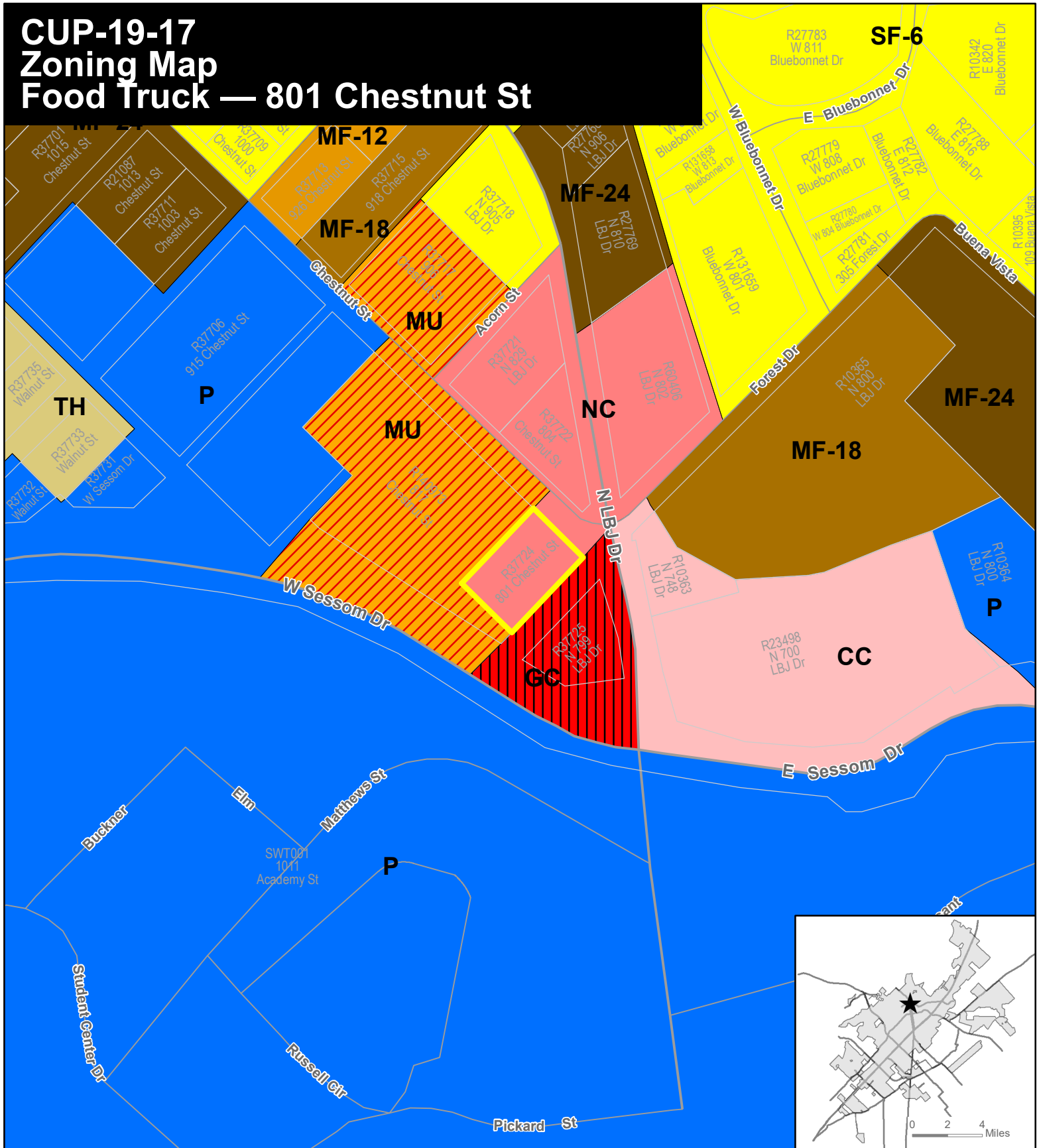
Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions / Alternate	Denial
<ul style="list-style-type: none"> <li>Hours of operation shall be limited to 7 a.m. – 11 p.m. Sunday –Thursday and 7 a.m. to 12:30 a.m. Friday and Saturday;</li> <li>A 42 inch fence with a tight wire mesh shall be required around the edge of the property adjoining the creek to prevent litter from entering Sessom Creek;</li> <li>There shall be no speakers after 10 p.m.;</li> <li>There shall be no live amplified music;</li> <li>The permit shall be valid at the time of Certificate of Occupancy of the commissary kitchen; and</li> <li>The permit shall be posted in the same area and manner as the Certificate of Occupancy.</li> </ul>			
Staff: Will Parrish	Title : Planner		Date: June 6, 2019

Conditional Use Permit	801 Chestnut Street
CUP-19-17	Food Truck Court

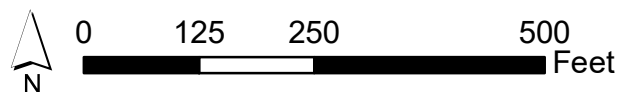


Evaluation			Criteria for Approval (Sec. 2.8.3.4)
Consistent	Inconsistent	Neutral	
		<u>X</u>	The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
		<u>N/A</u>	The proposed use is consistent with any adopted neighborhood character study for the area. Studies were not complete at the time of this request
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.
<u>X</u>			The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.
<u>X</u>			The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
		<u>X</u>	The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.
<u>X</u>			The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

# CUP-19-17 Zoning Map Food Truck — 801 Chestnut St



- ★ Site Location
- Subject Property
- 400' Buffer
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 5/31/2019

**From:** [Pascal Boudreau](#)  
**To:** [Parrish, Will](#)  
**Cc:** [Liz McGhee](#)  
**Subject:** [EXTERNAL] Re: CUP-19-17  
**Date:** Wednesday, May 29, 2019 2:15:14 PM

---

Will,

It was nice talking with you earlier.

In regards to your question about hours of operations:

Ideally we would like the food court to remain open until 2:30 am in order to provide food options for Treff's Tavern patrons. We also will have breakfast options so would like to open the food court at 7:00 am. Please keep in mind that we want to build a great relationship with our neighbors while maximizing our business potential.

In regards to your question about on-site entertainment:

We are not planning for any on-site entertainment such as live music or anything of that sort.

Please let us know if you have any other questions.

Thank you,

TheCoKitchen

Liz & Pascal

On Apr 29, 2019, at 7:12 PM, Pascal Boudreau <[jpkboudreau@gmail.com](mailto:jpkboudreau@gmail.com)> wrote:

Hello Mr. Parrish,

We look forward to working with you on this CUP. Please don't hesitate to contact Liz and I anytime if we can be of assistance.

Thank you,

Pascal Boudreau & Elizabeth McGhee  
512-992-8093 210-347-1615

On Apr 29, 2019, at 4:16 PM, [no-reply@mygovernmentonline.org](mailto:no-reply@mygovernmentonline.org) wrote:

The City of San Marcos has received your application. Your new project number is CUP-19-17 (801 Chestnut Street).

Your case manager Will Parrish, Planner will be in contact if additional information is required to process your request. To submit additional documentation or for questions you may email Will at [wparrish@sanmarcostx.gov](mailto:wparrish@sanmarcostx.gov).

**[Amanda Hernandez, AICP, CNU-A](#)**



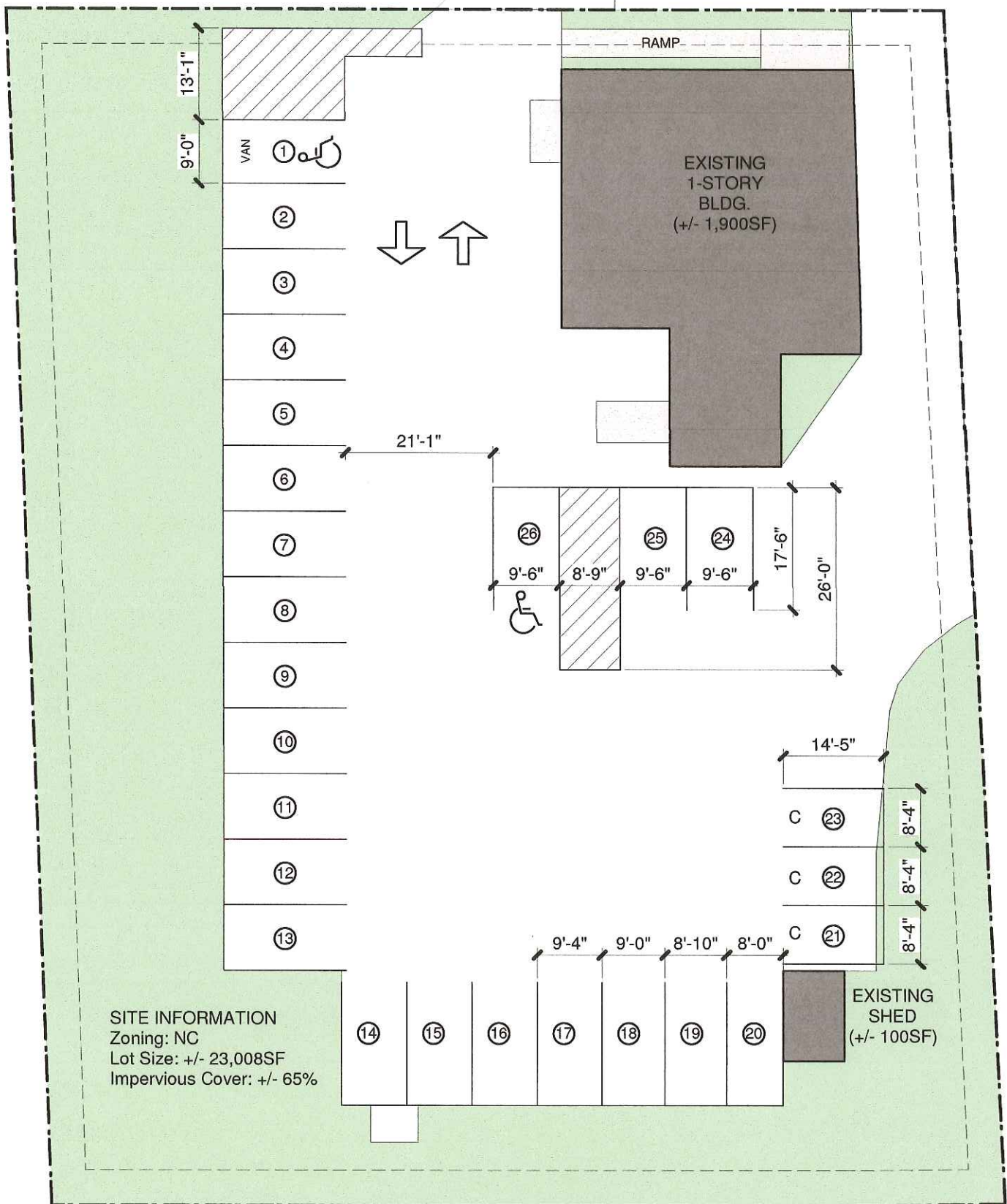
Development Services Manager

This notice is only meant to communicate that your online application has been received. You may track the progress of your project online at [www.mygovernmentonline.org](http://www.mygovernmentonline.org)

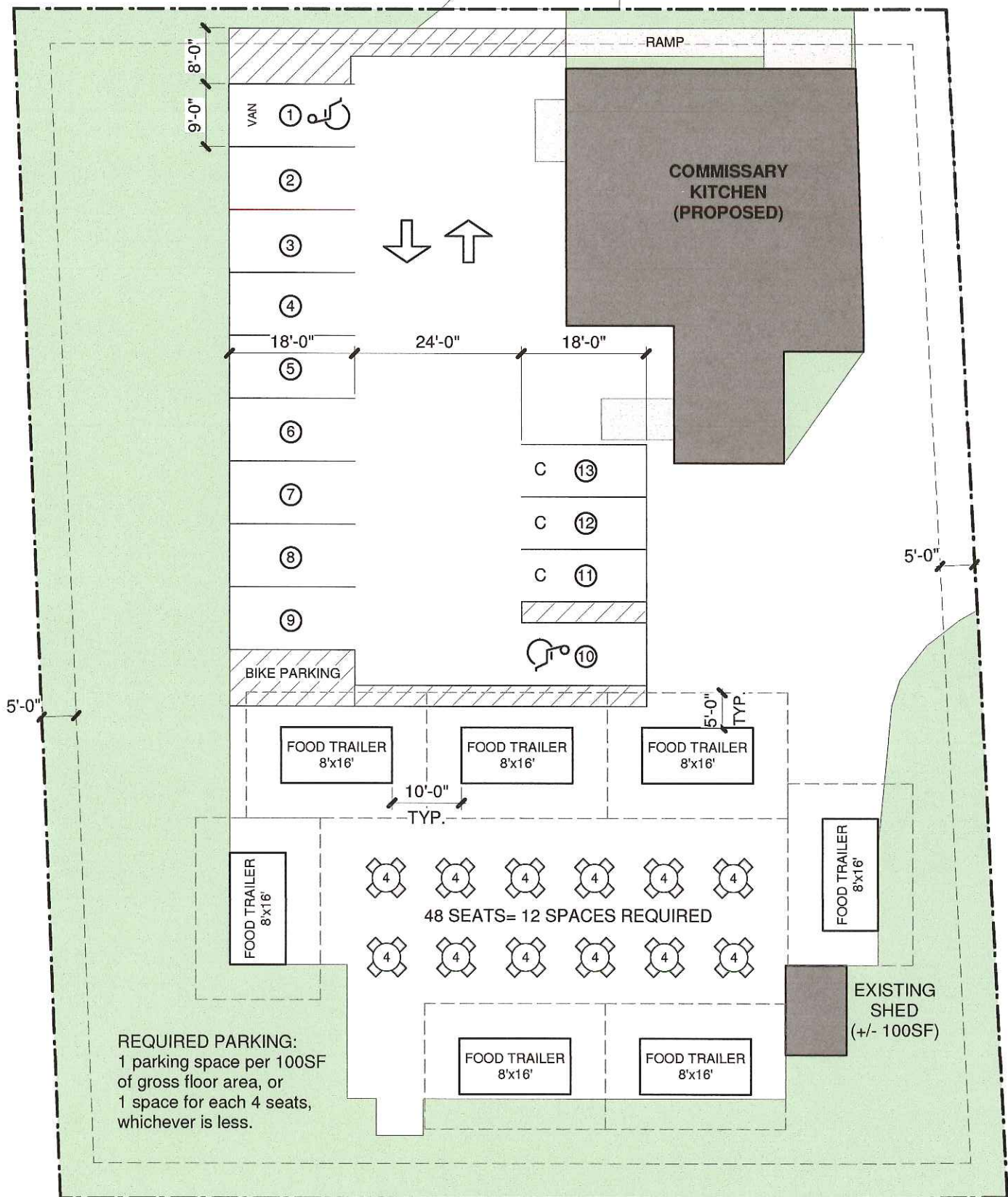
**CAUTION:** This email is from an EXTERNAL source. Links or attachments may be dangerous. Click the Phish Alert button above if you think this email is malicious

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# CHESTNUT STREET

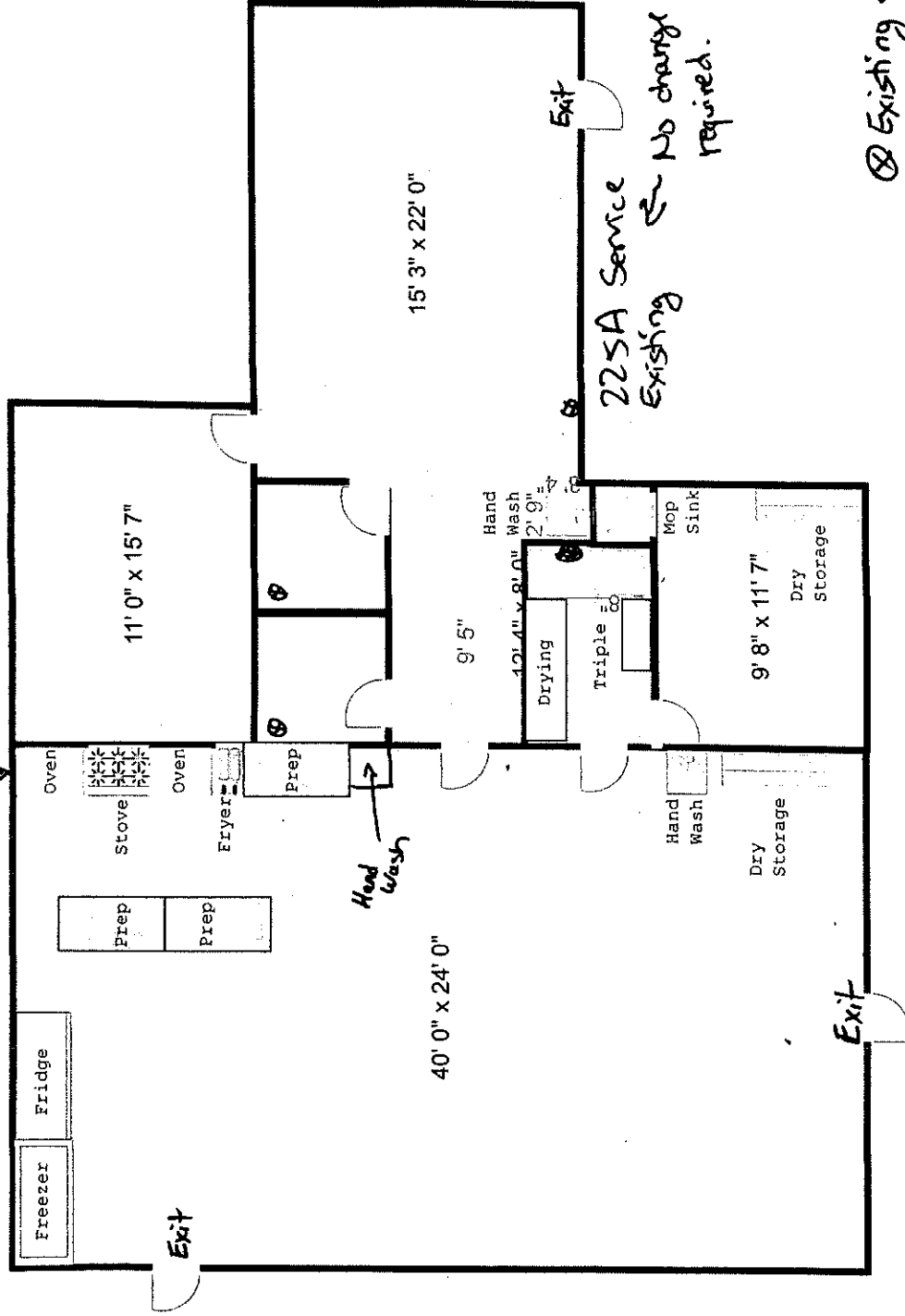


# CHESTNUT STREET



# Building Floor Plan - Commissary Kitchen

→ Add 18' hood vent



Add grease  
interceptor  
outside.

⊗ Existing plumbing

↳ Minimal changes on plumbing

- Minimum changes to electrical
- Minimum changes to gas

- No change in ceiling

- Remove carpet & epoxy floor

- All walls existing

- Minor changes to plumbing & addition of hood vent



# CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (GENERAL) APPLICATION

Updated: October, 2018

Case # CUP-\_\_\_\_-\_\_\_\_



## CONTACT INFORMATION

Applicant's Name	TheCoKitchen (Liz & Pascal)	Property Owner	Virgilio Altamirano
Applicant's Mailing Address	365 Golden Eagle Loop, Canyon Lake, TX 78133	Owner's Mailing Address	P.O. Box 160788, Austin, TX 78716
Applicant's Phone #	512-992-8093, 210-347-1615	Owner's Phone #	512-413-3948
Applicant's Email	jpkboudreau@gmail.com	Owner's Email	valtamiranotx@gmail.com

## PROPERTY INFORMATION

Subject Property Address: 801 Chestnut St  
Zoning District: Zoning Code: NC Tax ID #: R 37724  
Legal Description: Lot 117 Block            Subdivision Park Addition

## DESCRIPTION OF REQUEST

Please use this space to describe the proposal. Attach additional pages as needed.

We are requesting to use the existing facility at 801 Chestnut St. for a high-end mobile food park and a central preparation facility to serve clients in the park.

## AUTHORIZATION

*I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.*

Initial Filing Fee \$773*	Technology Fee \$12	<b><u>TOTAL COST \$785</u></b>
Renewal/Amendment Filing Fee \$412*	Technology Fee \$12	<b><u>TOTAL COST \$424</u></b>

*\*Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits*

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.


**APPLY ONLINE – [WWW.MYGOVERNMENTONLINE.ORG/](http://WWW.MYGOVERNMENTONLINE.ORG/)**



## PROPERTY OWNER AUTHORIZATION

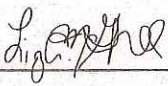
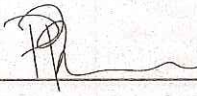
I, Virgilio Altamirano, APARTO INVESTMENT (owner) acknowledge that I am the rightful owner of the property located at 801 Chestnut St., San Marcos, TX 78666 (address).

I hereby authorize TheCoKitchen (Liz & Pascal) (agent name) to file this application for CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (GENERAL) APPLICATION (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: 

Date: April 26, 2019

Printed Name: Virgilio Altamirano

Signature of Agent:  

Date: April 26, 2019

Printed Name: Liz McGhee & Pascal Boudreau (TheCoKitchen)


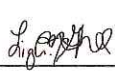


## AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$88 plus an \$12 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$88 plus a \$12 technology fee.***

*I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.*

Signature:   \_\_\_\_\_

Date: April 26th, 2019

Print Name: Pascal Boudreau & Liz McGhee (TheCoKitchen)

## CUP-19-17 (Food Truck Court)

Hold a public hearing and consider a request by TheCoKitchen for a Conditional Use Permit to allow the use of a Food Truck Court at 801 Chestnut Street. (W. Parrish)



## Location:

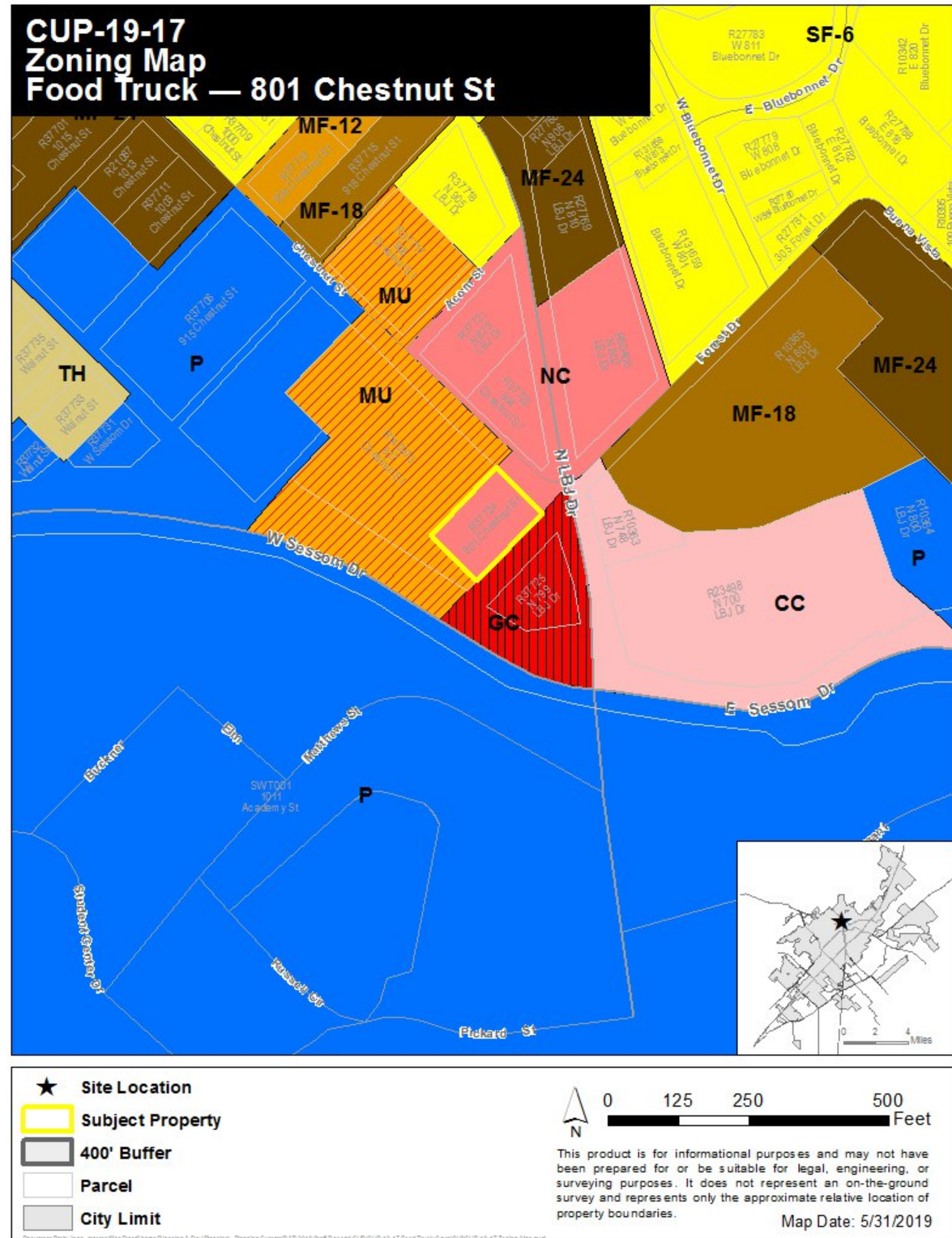
- Property is located near the intersection of North LBJ Street and Chestnut Street.
- Located within a Existing Neighborhood as designated on the Preferred Scenario Map.





## Context & History:

- 7 food trucks and a Commissary Kitchen
- Zoned Neighborhood Commercial (NC), Food Truck Court requires a CUP
- Proposed Hours
  - Sunday – Saturday  
7 a.m. to 2:30 a.m.
- Seating:
  - 48 Outdoor seats

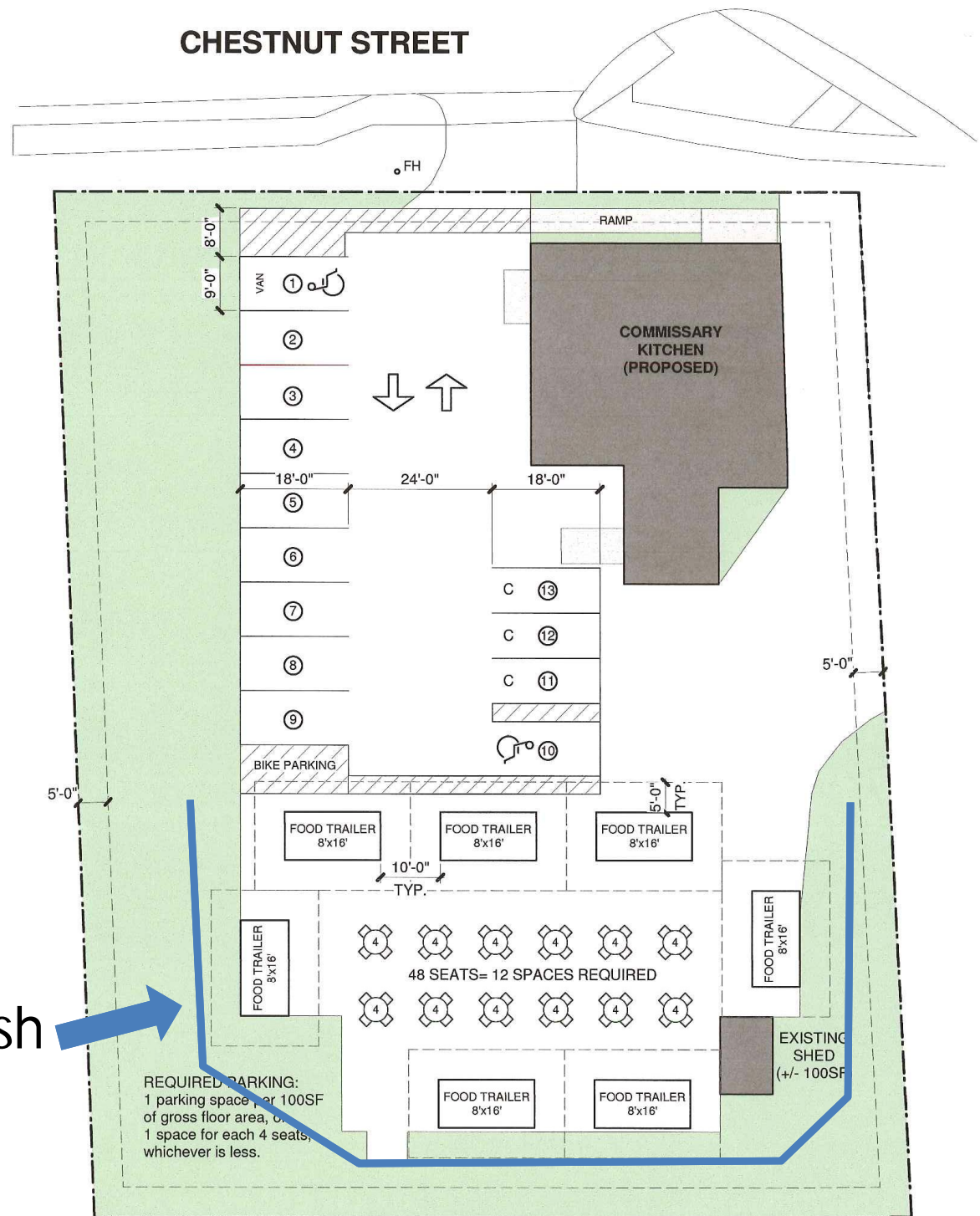




## Context & History:

- Site backs up to Sessom Creek with steep drop off.
- Applicant would like to showcase the creek area.
- Recommend 42 inch tall fence with tight wire mesh to prevent trash from blowing into creek.

# Fence to catch trash



## Recommendations:

Staff provides this request to the Commission for your consideration and recommends **approval** of the Conditional Use Permit with the following conditions:

- 1. Hours of operation shall be limited to 7 a.m. – 11 p.m. Sunday – Thursday and 7 a.m. to 12:30 a.m. Friday and Saturday;**
- 2. A 42 inch fence with a tight wire mesh shall be required around the edge of the property adjoining the creek to prevent litter from entering Sessom Creek;**
- 3. There shall be no speakers after 10 p.m.;**
- 4. There shall be no live amplified music;**
- 5. The permit shall be valid at the time of Certificate of Occupancy of the commissary kitchen; and**
- 6. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**